

Exhibit 31

Deposition of Dana F. White
(August 9, 2017) – Vol. 1 (excerpted)

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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| CUNG LE; NATHAN QUARRY, JON |) | |
| FITCH, on behalf of |) | |
| themselves and all others |) | |
| similarly situated, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | Case No. |
| |) | 2:15-cv-01045-RFB-(PAL) |
| |) | |
| ZUFFA, LLC, d/b/a Ultimate |) | |
| Fighting Championship and |) | |
| UFC, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF DANA F. WHITE

MORNING AND AFTERNOON SESSIONS

LAS VEGAS, NEVADA

AUGUST 9, 2017

9:30 a.m.

REPORTED BY:
CYNTHIA K. DuRIVAGE, CSR #451
JOB NO. 51036-A

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| <p style="text-align: right;">138</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 and stuff like that.</p> <p>3 Q. All right. And did you at that time, at</p> <p>4 the time that you were quoted as saying, this in the</p> <p>5 Baltimore Sun article, anticipate that the WEC would</p> <p>6 be competitors with the UFC in some way?</p> <p>7 A. Well, I guess we would be out in the</p> <p>8 marketplace competing for sponsors.</p> <p>9 Q. Okay. And how about for fighter talent to</p> <p>10 the extent that there was overlap between weight</p> <p>11 classes?</p> <p>12 A. Yeah, there really wasn't any overlap.</p> <p>13 There was a couple here and there, but yeah.</p> <p>14 Q. Okay. And nevertheless, you know, you</p> <p>15 expected that the UFC would compete with the WEC for</p> <p>16 sponsors, correct?</p> <p>17 A. Yep.</p> <p>18 Q. Okay. And so, you -- and then, you</p> <p>19 continued to operate -- the UFC continued to operate</p> <p>20 WEC for some time, correct?</p> <p>21 A. Right.</p> <p>22 Q. And is it correct that by mid-2009, the WEC</p> <p>23 was the leader in the MMA promotion industry in the</p> <p>24 bantamweight and featherweight weight classes?</p> <p>25 A. That what was?</p> | <p style="text-align: right;">140</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 fighters have come from. I mean, even Bellator and</p> <p>3 organizations like that, they get their talent from</p> <p>4 somewhere else. Same thing.</p> <p>5 Q. So, but is it correct that at the time that</p> <p>6 the UFC acquired the WEC, it viewed it as a promotion</p> <p>7 that would feed fighters to it?</p> <p>8 A. I view everybody --</p> <p>9 MR. ISAACSON: Objection to form.</p> <p>10 THE WITNESS: -- as a feeder -- oh, sorry.</p> <p>11 BY MR. DELL'ANGELO:</p> <p>12 Q. Go ahead.</p> <p>13 A. I view everybody as a feeder league, and</p> <p>14 Bellator sees everybody as a feeder league. When</p> <p>15 it's your promotion, you see everybody else as a</p> <p>16 feeder league.</p> <p>17 Q. So my question is: As of the time that the</p> <p>18 UFC acquired the WEC in 2006 whether or not the UFC</p> <p>19 viewed WEC as a feeder league?</p> <p>20 A. It viewed everybody as a feeder league.</p> <p>21 Q. Okay. And then, the UFC merged the WEC</p> <p>22 into the UFC in October of 2010, correct?</p> <p>23 A. I don't know the exact date, but yes, we</p> <p>24 eventually did.</p> <p>25 Q. Okay. And why did the UFC merge -- well,</p> |
| <p style="text-align: right;">139</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. That the WEC was, you know, kind of the top</p> <p>3 promotion for bantamweight and featherweight classes?</p> <p>4 A. I don't know if they were the top</p> <p>5 promotion, but they had -- they had those guys.</p> <p>6 Q. And how would you characterize the quality</p> <p>7 of the WEC's 135 and 145 weight classes?</p> <p>8 A. Yeah, they were really the only guys --</p> <p>9 it's much like Invicta. Like Invicta focuses on</p> <p>10 women, and these guys had smaller weight classes.</p> <p>11 So like I said, people said it couldn't be</p> <p>12 done, I wanted to do it.</p> <p>13 Q. And you did, right?</p> <p>14 A. Yes.</p> <p>15 Q. And is it correct that the WEC was -- that</p> <p>16 the UFC viewed the WEC as a feeder league for</p> <p>17 younger, less experienced, lighter weight, and less</p> <p>18 well-known fighters that would eventually move to the</p> <p>19 UFC?</p> <p>20 A. Well, they focused on smaller weight</p> <p>21 classes, which we didn't have.</p> <p>22 But yeah, I'm not going to say we never got</p> <p>23 somebody from the WEC, but they mostly focused on the</p> <p>24 smaller weight classes.</p> <p>25 But pretty much, every organization</p> | <p style="text-align: right;">141</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 the UFC -- withdraw that.</p> <p>3 The UFC merged the WEC into the UFC because</p> <p>4 it wanted the lighter weight classes that the WEC</p> <p>5 had; is that correct?</p> <p>6 A. Correct.</p> <p>7 Q. And then -- and in doing so, the UFC</p> <p>8 acquired Urijah Faber, right?</p> <p>9 A. Correct.</p> <p>10 Q. Okay. And he went on to become -- to be</p> <p>11 inducted into the UFC Hall of Fame, right?</p> <p>12 A. Correct.</p> <p>13 Q. And he was also featured -- Faber was</p> <p>14 featured -- do you know if he was featured in two</p> <p>15 main events in the WEC?</p> <p>16 A. Yes, pay-per-view.</p> <p>17 Q. And I think you said that the UFC also</p> <p>18 acquired the WFA, correct?</p> <p>19 A. Correct.</p> <p>20 Q. And the WFA was also an MMA promoter?</p> <p>21 A. Yes.</p> <p>22 Q. And is it correct that the UFC acquired the</p> <p>23 WFA in 2006?</p> <p>24 A. I don't know the exact date, but yes, we</p> <p>25 did acquire it.</p> |

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| <p style="text-align: right;">142</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. And is it correct that at the time the UFC</p> <p>3 acquired the WFA, it didn't view the WFA as</p> <p>4 competition?</p> <p>5 A. Yeah, I -- yeah.</p> <p>6 Q. You never -- the WFA nevertheless had</p> <p>7 something that the UFC wanted or needed, correct?</p> <p>8 A. Never had something that we wanted or</p> <p>9 needed?</p> <p>10 Q. Nevertheless had. So let me withdraw that.</p> <p>11 Is it correct that the UFC acquired the WFA</p> <p>12 because the WFA had something that the UFC wanted or</p> <p>13 needed?</p> <p>14 MR. ISAACSON: Objection to form.</p> <p>15 THE WITNESS: Well, it's kind of -- kind of</p> <p>16 a weird deal. It was actually a really good friend</p> <p>17 that was involved. He was our jujitsu coach that was</p> <p>18 involved in the WFA, and the WFA was run by a guy who</p> <p>19 had a real shady past, so we had to hand it over to</p> <p>20 two lawyers.</p> <p>21 BY MR. DELL'ANGELO:</p> <p>22 Q. All right. So did the UFC acquire the WFA</p> <p>23 to acquire Lyoto Machida's contract?</p> <p>24 A. Correct.</p> <p>25 Q. And did it also acquire the WFA to acquire</p> | <p style="text-align: right;">144</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 and the company's rationale for</p> <p>3 their classification and accounting</p> <p>4 treatment."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. Would you turn to the page that has 1240589</p> <p>8 at the bottom, and it's the sixth page of the</p> <p>9 document. At the top, it has the header "Purchase of</p> <p>10 WEC."</p> <p>11 Just let me know when you're there.</p> <p>12 A. "Purchase of WEC." Yep.</p> <p>13 Q. And regarding the WEC, if you look about</p> <p>14 halfway down, there's a sentence that says, "The WEC</p> <p>15 would also serve."</p> <p>16 Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Would you read that sentence, please.</p> <p>19 A. "The WEC would also serve as a</p> <p>20 Second tier of minor league feeder</p> <p>21 platform where young, less</p> <p>22 experienced, lighter weight and less</p> <p>23 well-known fighters could gain</p> <p>24 public awareness before developing</p> <p>25 to the point where they can move up</p> |
| <p style="text-align: right;">143</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Quinton "Rampage" Jackson's contract?</p> <p>3 A. Correct.</p> <p>4 Q. As you sit here today, are there any other</p> <p>5 reasons that you can think of that the UFC acquired</p> <p>6 the WFA that you're prepared to testify about?</p> <p>7 A. Because they were begging us to buy it.</p> <p>8 Q. Anything else?</p> <p>9 A. No.</p> <p>10 (Exhibit 32 was marked for</p> <p>11 identification by the reporter.)</p> <p>12 BY MR. DELL'ANGELO:</p> <p>13 Q. Let me show you what I'm marking as</p> <p>14 Exhibit 32 to the deposition, Mr. White.</p> <p>15 Exhibit 32 begins at ZFL-1240584. It's</p> <p>16 entitled "Zuffa, LLC's Intangible Asset Treatment</p> <p>17 Discussion Memo."</p> <p>18 Do you see at the beginning of this</p> <p>19 document, Mr. White, it says that:</p> <p>20 "The following discussion examines</p> <p>21 the nature of the various and</p> <p>22 tangible assets that were acquired</p> <p>23 by Zuffa in connection with its</p> <p>24 purchase and rehabilitation of The</p> <p>25 Ultimate Fighter Championship brand</p> | <p style="text-align: right;">145</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 the UFC level of competition."</p> <p>3 Q. Do you have any reason to disagree with</p> <p>4 that statement?</p> <p>5 A. No.</p> <p>6 Q. Okay. And then, would you go to the next</p> <p>7 page, please. You'll see the heading "Purchase of</p> <p>8 WFA"?</p> <p>9 A. Yep.</p> <p>10 Q. Okay. And three lines down, at the end of</p> <p>11 that line, the sentence begins, "The purpose."</p> <p>12 Do you see that?</p> <p>13 A. "The purpose."</p> <p>14 Q. Okay. Would you read that sentence and the</p> <p>15 sentence that follows it, please.</p> <p>16 A. "The purpose of Zuffa's</p> <p>17 Acquisition of the small and little</p> <p>18 known WFA was a defensive strategy</p> <p>19 to eliminate a second-tier</p> <p>20 competitive brand operating in the</p> <p>21 Las Vegas market."</p> <p>22 Keep going?</p> <p>23 Q. Yes, please.</p> <p>24 A. "As part of the acquisition,</p> <p>25 Zuffa secured noncompete covenants</p> |

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| <p style="text-align: right;">146</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 from the WFA's two principal owners</p> <p>3 for a period of seven years each.</p> <p>4 The portion of the total purchase</p> <p>5 price specifically assigned to the</p> <p>6 noncompete covenant in the purchase</p> <p>7 agreement was 500,000 for each</p> <p>8 principal. As such, the total</p> <p>9 purchase price was allocated into</p> <p>10 the following three categories."</p> <p>11 Q. All right. That's fine, actually. Thank</p> <p>12 you.</p> <p>13 So that first sentence that you read, "The</p> <p>14 purpose of Zuffa's acquisition of the small and</p> <p>15 little known WFA was a defensive strategy to</p> <p>16 eliminate a second-tier competitive brand operating</p> <p>17 in the Las Vegas market," any reason to disagree with</p> <p>18 that statement?</p> <p>19 A. Yes. I don't know who wrote this.</p> <p>20 Q. Do you know what it was used for?</p> <p>21 A. No.</p> <p>22 Q. Do you have an understanding that Zuffa</p> <p>23 needed to establish for purposes of tax treatment</p> <p>24 certain reasons surrounding their acquisitions and</p> <p>25 how the intangible assets acquired in connection with</p> | <p style="text-align: right;">148</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 at the end of the line, there's a sentence that</p> <p>3 begins, "The reason."</p> <p>4 Do you see that?</p> <p>5 A. Yeah.</p> <p>6 Q. Okay. Would you read just that sentence</p> <p>7 that begins, "The reason."</p> <p>8 A. Yeah.</p> <p>9 "The reason for the acquisition</p> <p>10 was to control the WFA brand and</p> <p>11 prevent it from competing with the</p> <p>12 WEC and UFC."</p> <p>13 Q. Okay. Do you disagree with that</p> <p>14 statement --</p> <p>15 A. I do.</p> <p>16 Q. Let me finish my question.</p> <p>17 Do you disagree with that statement in</p> <p>18 Zuffa, LLC's intangible asset treatment discussion</p> <p>19 memo?</p> <p>20 A. I do.</p> <p>21 Q. And so, if Zuffa used the statements with</p> <p>22 which you disagree under the heading "Purchase of</p> <p>23 WFA" to justify to the IRS the basis of its</p> <p>24 intangible asset treatment in connection with the</p> <p>25 purchase of the WFA, would they be incorrect, in your</p> |
| <p style="text-align: right;">147</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 WEC and WFA acquisitions would be treated?</p> <p>3 MR. ISAACSON: Objection to form.</p> <p>4 THE WITNESS: Okay.</p> <p>5 BY MR. DELL'ANGELO:</p> <p>6 Q. Did you know that is --</p> <p>7 A. No.</p> <p>8 Q. -- my question.</p> <p>9 A. Okay.</p> <p>10 Q. So do you know whether or not the</p> <p>11 statements made in this document were -- what Zuffa</p> <p>12 used to justify for purposes of calculating the</p> <p>13 intangible assets, do you know if these were the</p> <p>14 justifications that Zuffa used?</p> <p>15 MR. ISAACSON: Objection to form.</p> <p>16 THE WITNESS: Yeah, I don't know. This is</p> <p>17 the first time I've ever seen this.</p> <p>18 BY MR. DELL'ANGELO:</p> <p>19 Q. And then, if you stay on that same page,</p> <p>20 page 7 under "Purchase of WFA," there's a heading</p> <p>21 two-thirds, about three-quarters of the way down,</p> <p>22 "Determining Factors."</p> <p>23 Do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And then, if you go four lines down,</p> | <p style="text-align: right;">149</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 view?</p> <p>3 MR. ISAACSON: Objection to form,</p> <p>4 foundation.</p> <p>5 THE WITNESS: I'm assuming you have to say</p> <p>6 something other than a convicted felon owned the</p> <p>7 company, and he took -- he asked two lawyers to take</p> <p>8 it over for him so that the business could be run,</p> <p>9 and the two lawyers didn't want to put money into it</p> <p>10 anymore.</p> <p>11 I'm assuming it's probably better than</p> <p>12 writing that. I don't know.</p> <p>13 BY MR. DELL'ANGELO:</p> <p>14 Q. Okay. Is it your understanding that the</p> <p>15 basis for the tax treatment that Zuffa would state in</p> <p>16 connection with its treatment of intangible assets</p> <p>17 should be accurate?</p> <p>18 MR. ISAACSON: Objection.</p> <p>19 THE WITNESS: Should be -- I have no idea.</p> <p>20 BY MR. DELL'ANGELO:</p> <p>21 Q. You don't know?</p> <p>22 A. I have nothing to do with this, so I</p> <p>23 couldn't honestly answer that question.</p> <p>24 Q. Well, my question is more general as to</p> <p>25 whether or not you believe that the UFC should be</p> |

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| <p style="text-align: right;">150</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 making accurate statements with respect to the basis</p> <p>3 for the treatment of intangible assets that it</p> <p>4 acquired from the WFA?</p> <p>5 A. Well, I don't know --</p> <p>6 MR. ISAACSON: Objection to form.</p> <p>7 THE WITNESS: I'm sorry.</p> <p>8 BY MR. DELL'ANGELO:</p> <p>9 Q. No, I'm not asking you about this</p> <p>10 statement.</p> <p>11 I'm just asking you generally, right, if</p> <p>12 it's your belief that the UFC should make accurate</p> <p>13 statements?</p> <p>14 A. Well, I don't know what that guy was told</p> <p>15 from somebody -- I don't know what this guy was</p> <p>16 writing and what his -- what he believed to be</p> <p>17 accurate when he wrote this.</p> <p>18 Q. But --</p> <p>19 A. But I was the guy that was actually</p> <p>20 involved and in the middle of this thing.</p> <p>21 Q. So you didn't communicate anything to the</p> <p>22 IRS or UFC's accountants what the basis for the tax</p> <p>23 treatment was in connection with the WFA acquisition,</p> <p>24 right?</p> <p>25 A. No.</p> | <p style="text-align: right;">152</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Right, and your --</p> <p>3 A. I knew the truth, but nobody else knew the</p> <p>4 truth.</p> <p>5 Q. Okay. And your testimony is the statements</p> <p>6 on page 7 in connection with the WFA are not</p> <p>7 consistent with what you believed the truth to be at</p> <p>8 the time, correct?</p> <p>9 A. Correct. The Mayor's son and Louis Palazzo</p> <p>10 wanted out of this business.</p> <p>11 Q. Okay. Pride fighting championships was</p> <p>12 another MMA promotion that the UFC purchased, right?</p> <p>13 A. What's the question?</p> <p>14 Q. Pride fighting championships was another</p> <p>15 MMA promotion that the UFC purchased?</p> <p>16 A. Correct.</p> <p>17 Q. Okay. And at the time that the UFC</p> <p>18 purchased Pride, is it correct that Pride was the</p> <p>19 largest MMA competitor to the UFC?</p> <p>20 A. They were -- they were the ones that I</p> <p>21 respected the most.</p> <p>22 Q. In March of 2006, would you say that Pride</p> <p>23 was the largest competitor to the UFC?</p> <p>24 A. They were the ones that I respected the</p> <p>25 most.</p> |
| <p style="text-align: right;">151</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Okay. And so, you don't know if the basis</p> <p>3 articulated by the company or its accountants was</p> <p>4 accurate, correct?</p> <p>5 A. What's the question?</p> <p>6 Q. So is it fair to say, then, that you don't</p> <p>7 know if whatever basis the UFC articulated or its</p> <p>8 accountants articulated for the treatment of</p> <p>9 intangible assets associated with the purchase of WFA</p> <p>10 was accurate?</p> <p>11 A. Correct. I can only tell you what I know.</p> <p>12 Q. Okay. And one thing I want to be clear,</p> <p>13 though, is it your view that regardless of what the</p> <p>14 reason for the acquisition of the WFA is that Zuffa</p> <p>15 and its accountants should be making accurate</p> <p>16 statements to reflect the basis for the acquisition</p> <p>17 in connection with the treatment of intangible</p> <p>18 assets?</p> <p>19 MR. ISAACSON: Objection to form.</p> <p>20 BY MR. DELL'ANGELO:</p> <p>21 Q. That is, you should be telling the truth,</p> <p>22 right?</p> <p>23 A. Yeah.</p> <p>24 Q. Okay.</p> <p>25 A. Well, I knew the truth.</p> | <p style="text-align: right;">153</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Okay.</p> <p>3 A. Pride was -- was a money laundering deal</p> <p>4 for the Yakuza.</p> <p>5 Q. How did you learn that news?</p> <p>6 A. Because they got kicked off television in</p> <p>7 Japan because of it.</p> <p>8 Q. And that was reported in early 2006?</p> <p>9 A. In Japan, yeah.</p> <p>10 Q. But it was reported in early 2006, right?</p> <p>11 A. I don't know when it was reported.</p> <p>12 Q. It was reported before Zuffa's acquisition,</p> <p>13 though, right, of Pride?</p> <p>14 A. I don't know.</p> <p>15 Q. Okay. Pride was kicked off -- lost its</p> <p>16 television deal in Japan before the UFC acquired it,</p> <p>17 though, didn't it?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And as of 2006, is it correct that</p> <p>20 Pride had only promoted MMA events in Japan, right?</p> <p>21 A. Well, they did a fight in Vegas too.</p> <p>22 Q. Right. So at some point, you became aware</p> <p>23 that Pride was going to promote an event in</p> <p>24 Las Vegas, right?</p> <p>25 A. Yeah. I had done crossover fights with</p> |

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| <p style="text-align: right;">154</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 those guys, so yeah.</p> <p>3 Q. When you say, "crossover," do you mean</p> <p>4 co-promote?</p> <p>5 A. No. We never co-promoted, but I had done a</p> <p>6 deal with Pride where they could use Chuck Liddell</p> <p>7 and Ricco Rodriguez, and they were supposed to in</p> <p>8 return give me Wanderlei Silva and Sakuraba.</p> <p>9 Q. And in response to Zuffa learning that</p> <p>10 Pride was considering holding an event in Las Vegas,</p> <p>11 isn't it true that the UFC decided to hold an event</p> <p>12 to hurt Pride at the gate and on its PPV, that is,</p> <p>13 pay-per-view?</p> <p>14 A. I don't remember.</p> <p>15 Q. If it did, would that be called</p> <p>16 counterprogramming?</p> <p>17 A. Absolutely.</p> <p>18 Q. Do you recall whether or not UFC attempted</p> <p>19 to counterprogram Pride's debut event, MMA event, in</p> <p>20 the United States?</p> <p>21 A. What's the question again?</p> <p>22 Q. The question is whether -- do you recall</p> <p>23 whether or not the UFC attempted to counterprogram</p> <p>24 Pride's debut MMA event in the United States?</p> <p>25 A. I don't remember.</p> | <p style="text-align: right;">156</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. And PPV refers to pay-per-view?</p> <p>3 A. Yes.</p> <p>4 Q. The second sentence of this email says:</p> <p>5 "However, at the same time, our</p> <p>6 choosing to hold an event in Vegas</p> <p>7 on October 14th is going to hurt</p> <p>8 Pride both at the gate and on PPV.</p> <p>9 Although our numbers will likely</p> <p>10 fall off a bit, this move will</p> <p>11 definitely make Pride's debut in</p> <p>12 America less successful than they</p> <p>13 probably estimated."</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Does this refresh your recollection as to</p> <p>17 whether or not the UFC considered holding an event to</p> <p>18 hurt Pride both at the gate and on PPV in connection</p> <p>19 with Pride's debut in the United States?</p> <p>20 A. Yeah. I don't remember it, but yes. I</p> <p>21 couldn't tell you who fought or where it was or any</p> <p>22 of that.</p> <p>23 Q. And in fact, do you know if the Pride</p> <p>24 ultimately held its event in Las Vegas?</p> <p>25 A. They did.</p> |
| <p style="text-align: right;">155</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 (Exhibit 33 was marked for</p> <p>3 identification by the reporter.)</p> <p>4 BY MR. DELL'ANGELO:</p> <p>5 Q. I'm handing you what I've marked as</p> <p>6 Exhibit 33.</p> <p>7 Exhibit 33 is a one-page series of emails</p> <p>8 stamped ZFL-2467721.</p> <p>9 I think we talked about Craig Borsari a</p> <p>10 little bit earlier today, correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. If you look in the middle of the</p> <p>13 page, there's an email from Craig Borsari to</p> <p>14 Chris Blechschmidt, Dana White, and Kirk Hendrick.</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. And it's dated June 4, 2006, correct?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Any reason to believe that you</p> <p>20 didn't receive this email in or around June 4, 2006?</p> <p>21 A. No.</p> <p>22 Q. And the subject line is, "Things to</p> <p>23 consider regarding October 14th PPV."</p> <p>24 Do you see that?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">157</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Okay. And isn't it true that the UFC also</p> <p>3 held UFC 64 on October 14th in Las Vegas?</p> <p>4 A. I don't know. Did we?</p> <p>5 Q. Let's take a look.</p> <p>6 (Exhibit 34 was marked for</p> <p>7 identification by the reporter.)</p> <p>8 BY MR. DELL'ANGELO:</p> <p>9 Q. Mr. White, I'm handing you what I've marked</p> <p>10 as Exhibit 34.</p> <p>11 A. Okay.</p> <p>12 Q. Which is a three-page printout from the UFC</p> <p>13 website in color that has the fight card for UFC 64,</p> <p>14 Saturday, October 14th.</p> <p>15 Do you have that before you?</p> <p>16 A. Yes.</p> <p>17 Q. And it was headlined by Rich Franklin</p> <p>18 versus Anderson Silva?</p> <p>19 A. Yes.</p> <p>20 Q. Does that refresh your recollection as to</p> <p>21 whether or not the UFC held an event on October 14th,</p> <p>22 UFC 64?</p> <p>23 A. It doesn't, but we did.</p> <p>24 Q. Do you have any reason to believe that the</p> <p>25 UFC didn't hold UFC 64 on October 14th, 2014?</p> |

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| <p style="text-align: right;">158</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. No.</p> <p>3 Q. Okay. You can set that aside.</p> <p>4 (Exhibit 35 was marked for</p> <p>5 identification by the reporter.)</p> <p>6 BY MR. DELL'ANGELO:</p> <p>7 Q. Mr. White, I have marked and am handing you</p> <p>8 what has been marked as Exhibit 35 to the litigation.</p> <p>9 Exhibit 35 is a transcript produced by</p> <p>10 Zuffa in the litigation beginning at ZUF-00110189.</p> <p>11 Do you have Exhibit 35, Mr. White?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you see at the top, it indicates</p> <p>14 that you're the moderator on March 27, 2007.</p> <p>15 Do you see that?</p> <p>16 A. Yes.</p> <p>17 Q. Do you recall moderating a call regarding</p> <p>18 the UFC's purchase of Pride in March of 2007?</p> <p>19 A. No.</p> <p>20 Q. Do you have any reason to believe that the</p> <p>21 transcript provided by your attorneys in this case,</p> <p>22 produced by UFC via your attorneys in this case --</p> <p>23 well, let me withdraw that.</p> <p>24 If you look down at the -- let me just ask</p> <p>25 you, you recall that the UFC purchased Pride in March</p> | <p style="text-align: right;">160</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 the employees are still in place at</p> <p>3 Pride, and we're going to continue</p> <p>4 to run them as competitors in two</p> <p>5 separate entities."</p> <p>6 Q. Okay. And at the time that the UFC</p> <p>7 acquired Pride, was its -- is it correct that the UFC</p> <p>8 intended to run Pride and the UFC as competitors to</p> <p>9 one another?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And at the time of the acquisition,</p> <p>12 did you believe that the UFC and Pride had all the</p> <p>13 best MMA fighters in the world?</p> <p>14 A. Not all of them, but most, yes.</p> <p>15 Q. Okay. Most?</p> <p>16 A. Yes, most.</p> <p>17 Q. And if you turn to page 8 of the document.</p> <p>18 MR. ISAACSON: Is this 8 in the upper</p> <p>19 right-hand corner?</p> <p>20 MR. DELL'ANGELO: Yes, it is.</p> <p>21 BY MR. DELL'ANGELO:</p> <p>22 Q. Do you see at the bottom of the page there,</p> <p>23 there's also a quote attributed to you.</p> <p>24 A. Okay.</p> <p>25 Q. And if you look at the very last line,</p> |
| <p style="text-align: right;">159</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 of 2007?</p> <p>3 A. Yes.</p> <p>4 Q. And if you look down at the bottom of the</p> <p>5 first page of Exhibit 35. You're asked a question by</p> <p>6 Neil Davidson.</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. And it says:</p> <p>10 "Yes. Good morning, Dana. I</p> <p>11 wonder if you could just summarize</p> <p>12 the business transactions taking</p> <p>13 place and then also to explain to us</p> <p>14 what will be the -- what will be the</p> <p>15 entities Pride and UFC after</p> <p>16 this --" sorry "-- after this and</p> <p>17 their separation and their</p> <p>18 connections."</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. What was your answer, as reflected</p> <p>22 in Exhibit 35?</p> <p>23 A. "Well, they're going to be</p> <p>24 Completely separate. The UFC will</p> <p>25 run separately from Pride. Most of</p> | <p style="text-align: right;">161</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 there's a sentence that begins, "You know."</p> <p>3 Do you see that?</p> <p>4 A. Yep.</p> <p>5 Q. And if you read that -- would you just read</p> <p>6 that one sentence, please.</p> <p>7 A. "You know what?"</p> <p>8 Q. Yes.</p> <p>9 A. "It's one of those things that,</p> <p>10 In my opinion, another reason that</p> <p>11 this is so great. I think when</p> <p>12 fighters fight, obviously money is</p> <p>13 great and the fame and everything</p> <p>14 that goes along with it, but at the</p> <p>15 end of the day, it's about your</p> <p>16 legacy. You know Pride and the UFC</p> <p>17 have the best fighters in the world</p> <p>18 in all different weight classes.</p> <p>19 Finally, we're going to be able to</p> <p>20 see who's the best fighter in the</p> <p>21 world, and I think you know whoever</p> <p>22 wins that fight will be looked at as</p> <p>23 the best heavyweight, best light</p> <p>24 heavyweight, best middleweight in</p> <p>25 the world and possibly one of the</p> |

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| <p style="text-align: right;">162</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 pound-for-pound greatest of all</p> <p>3 times. So I think that's what is</p> <p>4 really going to come out of this.</p> <p>5 The fans win, both organizations</p> <p>6 win, and the fighters win at the end</p> <p>7 of the day."</p> <p>8 Q. Okay. Do you have any reason to believe</p> <p>9 that that wasn't true as of March 27, 2007?</p> <p>10 A. I'm a promoter. I'm never going to go out</p> <p>11 there and say, you know what, when we put these two</p> <p>12 companies together, we'll have the most mediocre guys</p> <p>13 in the world. You know, that's what I do.</p> <p>14 There were obviously many guys outside of</p> <p>15 the UFC that were great fighters too and that we</p> <p>16 probably wanted at the time too.</p> <p>17 Q. So are you saying that the statements that</p> <p>18 you make as a promoter in your capacity as president</p> <p>19 of the UFC are not necessarily statements that we can</p> <p>20 attribute as being completely truthful?</p> <p>21 A. I'm a fight promoter. My job is to sell</p> <p>22 you fights. My job is to make you not take your wife</p> <p>23 out on Saturday night, not go to a movie, or whatever</p> <p>24 else you might want to do on Saturday night. My job</p> <p>25 is to make you stay home and watch the UFC.</p> | <p style="text-align: right;">164</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 It's no different than what Bellator says, you know,</p> <p>3 hey, watch the best fighters in the world, watch the</p> <p>4 best fights, all the greatest champions ever are</p> <p>5 going to fight.</p> <p>6 Do I believe that's true? No, I don't</p> <p>7 believe that's true.</p> <p>8 I believe that what I say is true, and he</p> <p>9 believes what he says is true, and the list goes on</p> <p>10 and on.</p> <p>11 BY MR. DELL'ANGELO:</p> <p>12 Q. Okay. That's fine.</p> <p>13 A. It's an opinion. And I'm selling fights.</p> <p>14 I'm trying to make you stay home Saturday night and</p> <p>15 buy a pay-per-view.</p> <p>16 Q. This is what I wanted to be clear about it,</p> <p>17 and I think you said it, but let's be clear, is that</p> <p>18 your testimony is that the things that you say as a</p> <p>19 fight promoter are things that you believe to be</p> <p>20 true, correct?</p> <p>21 A. It's my opinion.</p> <p>22 Q. But you nevertheless believe them to be</p> <p>23 true, correct?</p> <p>24 MR. ISAACSON: Objection to form. You're</p> <p>25 asking him if his opinion is true?</p> |
| <p style="text-align: right;">163</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. So my question to you is whether or not</p> <p>3 that means that at least some of the statements that</p> <p>4 you make publicly are not statements that can be</p> <p>5 taken as entirely accurate on face value; is that</p> <p>6 correct?</p> <p>7 A. I'm a promoter, and I sell fights for a</p> <p>8 living.</p> <p>9 Q. Okay. So are you not going to answer the</p> <p>10 question?</p> <p>11 A. That's the answer.</p> <p>12 Q. The answer is?</p> <p>13 A. I'm a promoter and I sell fights for a</p> <p>14 living.</p> <p>15 Are you seriously asking me if I would go</p> <p>16 out and say, hey, when this thing happens, it's going</p> <p>17 to be the most mediocre thing to ever, you know.</p> <p>18 Q. What I'm asking you is if when you go out</p> <p>19 and you talk about the MMA industry and the UFC if</p> <p>20 the things that you say are true?</p> <p>21 MR. ISAACSON: Objection to form.</p> <p>22 THE WITNESS: I sell fights for a living.</p> <p>23 I mean, that's the best way that I can explain it to</p> <p>24 you, you know.</p> <p>25 It's what -- it's what I believe, you know.</p> | <p style="text-align: right;">165</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 BY MR. DELL'ANGELO:</p> <p>3 Q. I'm asking if the statements that you made</p> <p>4 publicly as a fight promoter on behalf of the UFC are</p> <p>5 statements that you believe to be true?</p> <p>6 MR. ISAACSON: Objection. Asked and</p> <p>7 answered.</p> <p>8 THE WITNESS: You're a smart man. I'm a</p> <p>9 promoter. I promote fights. I sell fights for a</p> <p>10 living, as do other promoters.</p> <p>11 And you know, everybody believes that they</p> <p>12 have the best fighters in the world, and that's --</p> <p>13 nobody is ever going to go out and say, you know, we</p> <p>14 got some guys that are really good and we got some</p> <p>15 guys that are all right, we got some mediocre guys,</p> <p>16 we have some guys.</p> <p>17 Everything. Conor McGregor literally said</p> <p>18 I had these T-shirts made that said the biggest fight</p> <p>19 in combat sports history for him and Mayweather. And</p> <p>20 Conor said, "You say that for every one of my fights,</p> <p>21 so this is the biggest one, right?" And I said,</p> <p>22 "Till the next one."</p> <p>23 BY MR. DELL'ANGELO:</p> <p>24 Q. So you understand that your deposition is</p> <p>25 being videotaped today, right?</p> |

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| <p style="text-align: right;">166</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. I do.</p> <p>3 Q. Okay. You understand that -- do you</p> <p>4 understand that this video may be shown to the jury</p> <p>5 at some point?</p> <p>6 A. I do.</p> <p>7 Q. Do you think that the jury is entitled to a</p> <p>8 straight answer to the question of whether or not the</p> <p>9 statements that you make publicly as an MMA promoter</p> <p>10 are truthful?</p> <p>11 A. I am very --</p> <p>12 MR. ISAACSON: Objection --</p> <p>13 THE WITNESS: Oops, I'm sorry.</p> <p>14 MR. ISAACSON: -- it's argumentative.</p> <p>15 THE WITNESS: I am very confident that the</p> <p>16 jury knows that I sell fights for a living and I'm a</p> <p>17 fight promoter. And I am confident that you may not</p> <p>18 be understanding this, but I am confident that they</p> <p>19 will, yes.</p> <p>20 BY MR. DELL'ANGELO:</p> <p>21 Q. Would you go back to Exhibit 27.</p> <p>22 MR. ISAACSON: Actually, it's 12:50. The</p> <p>23 food is here.</p> <p>24 MR. DELL'ANGELO: Okay. I've got just a</p> <p>25 couple more questions on this subject, and then,</p> | <p style="text-align: right;">168</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Mr. White, is your -- was your Twitter</p> <p>3 handle in October of 2012 at Dana White?</p> <p>4 A. Yes.</p> <p>5 Q. And in the middle of the page, there</p> <p>6 appears to be a tweet from you to at RBL78.</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And would you read your tweet,</p> <p>10 please.</p> <p>11 A. "Pride is dead, dummy. I killed them."</p> <p>12 Q. And did you write that?</p> <p>13 A. I did.</p> <p>14 MR. DELL'ANGELO: Okay. We can break for</p> <p>15 lunch.</p> <p>16 THE VIDEOGRAPHER: The time is</p> <p>17 approximately 12:53 p.m.</p> <p>18 We are going off the record.</p> <p>19 (A luncheon recess was taken from</p> <p>20 12:53 p.m. to 1:40 p.m.)</p> <p>21 THE VIDEOGRAPHER: The time is 1:40 p.m. we</p> <p>22 are back on the record.</p> <p>23 ///</p> <p>24 ///</p> <p>25 ///</p> |
| <p style="text-align: right;">167</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 we'll wrap up for lunch.</p> <p>3 MR. ISAACSON: All right.</p> <p>4 BY MR. DELL'ANGELO:</p> <p>5 Q. Would you go back to Exhibit 27, please,</p> <p>6 and just turn to page 5 of the document.</p> <p>7 Actually, I understand you guys want to get</p> <p>8 to lunch. Let's skip that. Let me show you one last</p> <p>9 document, Mr. White.</p> <p>10 A. So don't take 7 -- 27?</p> <p>11 Q. Yes. You can put that aside. I'll try to</p> <p>12 expedite this for you.</p> <p>13 Isn't it true that at some point after the</p> <p>14 UFC acquired Pride, it shut Pride down?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And after the UFC acquired Pride,</p> <p>17 Pride never actually put on any MMA bouts, correct?</p> <p>18 A. Yes.</p> <p>19 (Exhibit 36 was marked for</p> <p>20 identification by the reporter.)</p> <p>21 BY MR. DELL'ANGELO:</p> <p>22 Q. I'm handing you what I've marked as</p> <p>23 Exhibit 36 to the deposition.</p> <p>24 Exhibit 36 is a one-page document that</p> <p>25 contains a printout of tweets.</p> | <p style="text-align: right;">169</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 EXAMINATION (RESUMED)</p> <p>3 BY MR. DELL'ANGELO:</p> <p>4 Q. Mr. White, the IFL was an MMA promoter at</p> <p>5 one time?</p> <p>6 A. Yes.</p> <p>7 Q. And did the IFL compete against UFC?</p> <p>8 A. Yes.</p> <p>9 Q. Was the IFL -- if you recall, earlier this</p> <p>10 morning, you talked with competitors that you had</p> <p>11 competed against because they had said something</p> <p>12 negative about the UFC.</p> <p>13 Am I characterizing that fairly?</p> <p>14 A. Yes.</p> <p>15 Q. Was the IFL one of those competitors?</p> <p>16 A. So the IFL literally -- so before they were</p> <p>17 up and running, they came in and had talked to three</p> <p>18 of my employees at one time, went and toured</p> <p>19 everything, went backstage, saw how we run the show.</p> <p>20 Then Keith Evans, one of the guys would</p> <p>21 worked for me, let me know that he was leaving, and</p> <p>22 when he left, he stole everything off everybody's</p> <p>23 computers and went to the IFL, and we sued them for</p> <p>24 that.</p> <p>25 Q. So did you interpret IFL was falling in the</p> |

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| <p style="text-align: right;">170</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 category of targeting the UFC in such a way --</p> <p>3 A. Yes.</p> <p>4 Q. And that was in such a way that the UFC</p> <p>5 would then target the IFL as a competitor that would</p> <p>6 compete against, as you've testified?</p> <p>7 MR. ISAACSON: Objection to form.</p> <p>8 THE WITNESS: Yes, we competed against the</p> <p>9 IFL.</p> <p>10 BY MR. DELL'ANGELO:</p> <p>11 Q. And there was litigation between the IFL</p> <p>12 and the UFC, correct?</p> <p>13 A. Yes.</p> <p>14 Q. And the IFL sued not only the UFC but you</p> <p>15 personally as well, correct?</p> <p>16 A. Oh, I don't remember that.</p> <p>17 (Exhibit 37 was marked for</p> <p>18 identification by the reporter.)</p> <p>19 BY MR. DELL'ANGELO:</p> <p>20 Q. I'm handing you what I have marked as</p> <p>21 Exhibit 37 to the deposition.</p> <p>22 Exhibit 37 is a complaint, International</p> <p>23 Fight League, Inc. versus Zuffa, LLC dba Ultimate</p> <p>24 Fighting Championship and Dana White, individually</p> <p>25 and in his capacity as president of Zuffa, LLC. It's</p> | <p style="text-align: right;">172</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 FSN and falsely informed FSN that</p> <p>3 IFL had illegally hired away two</p> <p>4 former Zuffa employees, that IFL had</p> <p>5 stolen and was wrongfully using</p> <p>6 confidential and/or proprietary</p> <p>7 information from Zuffa, including</p> <p>8 business and marketing plans, and</p> <p>9 that IFL representatives had gauged</p> <p>10 unauthorized access to the inner</p> <p>11 television trailer production</p> <p>12 workings of a UFC sponsored fight."</p> <p>13 Q. So that's one of the allegations in the IFL</p> <p>14 complaint against you.</p> <p>15 Do you deny those allegations?</p> <p>16 A. No. That's true.</p> <p>17 Q. Okay. And --</p> <p>18 A. I don't know if I talked to FSN about it.</p> <p>19 I don't know if that's true.</p> <p>20 Q. So let's clarify. What part is true?</p> <p>21 A. That these guys had gone back and done</p> <p>22 that. What I just told you five minutes ago.</p> <p>23 Q. Okay. So but the portion about you</p> <p>24 contacting FSN, you're not sure about?</p> <p>25 A. You're talking 2006.</p> |
| <p style="text-align: right;">171</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Silva action number 06-CV-0880, southern district of</p> <p>3 New York, dated February 3, 2006.</p> <p>4 Do you have Exhibit 37, Mr. White?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Does that refresh your recollection</p> <p>7 as to whether or not --</p> <p>8 A. No.</p> <p>9 Q. -- the International Fight League sued you?</p> <p>10 A. I didn't remember this, and norm this now.</p> <p>11 Q. Even looking at the document doesn't remind</p> <p>12 you that you were sued by the IFL?</p> <p>13 A. No, it doesn't.</p> <p>14 Q. Okay. So would you take a look at</p> <p>15 paragraph 20 of the complaint that's on page 6.</p> <p>16 I understand that you don't recall having</p> <p>17 been sued by the IFL, but you now have what I will</p> <p>18 represent to you is a copy of the complaint by when</p> <p>19 the IFL sued you.</p> <p>20 Would you read paragraph 20, please.</p> <p>21 A. "On or about January 29th</p> <p>22 2006 and as negotiations between FSN</p> <p>23 and plaintiff drew to a close,</p> <p>24 defendant UFC, though White and</p> <p>25 other UFC representatives contacted</p> | <p style="text-align: right;">173</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. I'm just asking --</p> <p>3 A. No, no. I'm saying you're talking 2006.</p> <p>4 Q. Yep.</p> <p>5 A. I'm trying to get a TV deal. What power I</p> <p>6 do have with any network. Can I just pick up the</p> <p>7 phone and call FSN? Who do I call at FSN? Who do I</p> <p>8 talk to? Who do I let know that this happened? No.</p> <p>9 That's --</p> <p>10 Q. It's fair to say that you don't recall?</p> <p>11 A. No. It's fair to say that that never</p> <p>12 happened.</p> <p>13 Q. So somebody is not telling the truth,</p> <p>14 right?</p> <p>15 A. Right.</p> <p>16 Q. Either the allegation is wrong or you're</p> <p>17 wrong, right?</p> <p>18 A. Well, apparently -- I didn't even remember</p> <p>19 being sued, so apparently I was right because there's</p> <p>20 no way I lost this litigation or I'd remember that.</p> <p>21 Q. Do you remember the outcome of the</p> <p>22 litigation?</p> <p>23 A. I don't.</p> <p>24 Q. Okay. Let's take a turn to paragraph 31.</p> <p>25 Read paragraph 31, please.?</p> |

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| <p style="text-align: right;">186</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Correct.</p> <p>3 Q. Let me hand you what the I've marked as</p> <p>4 Exhibit 41. Please take a look at that.</p> <p>5 For the record, Exhibit 41 is at tow</p> <p>6 deposition Exhibit 14 from this litigation, dated</p> <p>7 February 6, 2017. It begins at ZFL-2677499 and has a</p> <p>8 cover letter from Eric D. Hone and Kirk Hendrick,</p> <p>9 dated October 26, 2006.</p> <p>10 Do you recall seek this before, Mr. White?</p> <p>11 A. No.</p> <p>12 Q. Would you look at the second page of the</p> <p>13 document beginning on 2677500.</p> <p>14 A. Okay.</p> <p>15 Q. Would you just take a look at the first</p> <p>16 paragraph there and tell me if that refreshes your</p> <p>17 recollection of the litigation by IFL against Zuffa</p> <p>18 and you and the litigation against Zuffa against IFL</p> <p>19 was settled?</p> <p>20 A. I remember that we sued them. I don't</p> <p>21 remember them counter suing us.</p> <p>22 Q. My question is if this document refreshes</p> <p>23 your recollection that the litigation was -- that</p> <p>24 both cases were settled?</p> <p>25 A. If both cases were what?</p> | <p style="text-align: right;">188</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 of, then. There's been many.</p> <p>3 (Exhibit 42 was marked for</p> <p>4 identification by the reporter.)</p> <p>5 MR. DELL'ANGELO: All right. Why don't we</p> <p>6 mark as Exhibit 42 a video clip that I'll play from</p> <p>7 September 23, 2007. It's a UFC 76 post fight press</p> <p>8 conference in Anaheim, California.</p> <p>9 MR. ISAACSON: Is this an excerpt?</p> <p>10 MR. DELL'ANGELO: Yes, it is.</p> <p>11 MR. ISAACSON: I'll object on the grounds</p> <p>12 of completeness to the use of this exhibit in</p> <p>13 question.</p> <p>14 (Video clip played.)</p> <p>15 UNIDENTIFIED SPEAKER: Can I get your</p> <p>16 thoughts on, say, Bodog and EliteXC and how you feel</p> <p>17 they stack up --</p> <p>18 DANA WHITE: They suck.</p> <p>19 (Laughter.)</p> <p>20 DANA WHITE: You know, I'll be honest. I</p> <p>21 think that, you know, I'm not impressed with any</p> <p>22 newcomer. But I'll tell you what. The last -- the</p> <p>23 last ProElite show looked better than any of the</p> <p>24 other ones they had done --</p> <p>25 THE REPORTER: I can't hear it.</p> |
| <p style="text-align: right;">187</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Were settled.</p> <p>3 A. No.</p> <p>4 Q. So as you sit here today, you still think</p> <p>5 you won that litigation?</p> <p>6 A. Yes.</p> <p>7 Q. But you don't know what winning meant in</p> <p>8 that context?</p> <p>9 A. From what I remember, they had to pay us,</p> <p>10 they paid us or agreed to pay us.</p> <p>11 Q. Okay. You can set that aside.</p> <p>12 Are you familiar with the former MMA</p> <p>13 promoter EliteXC?</p> <p>14 A. Yes.</p> <p>15 Q. Is there a time when you thought of EliteXC</p> <p>16 as a low level promoter that didn't compete with the</p> <p>17 UFC?</p> <p>18 A. EliteXC, yeah. Yeah, I who they are. I</p> <p>19 was mistaking them for somebody else at first. It's</p> <p>20 a T-shirt company.</p> <p>21 Q. Are you thinking of Affliction?</p> <p>22 A. No. Different one.</p> <p>23 Q. All right. So focusing on Elite X E?</p> <p>24 A. EliteXC, they were a publicly traded</p> <p>25 company, right? Maybe it's not the one I'm thinking</p> | <p style="text-align: right;">189</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 DANA WHITE: I actually saw the end -- at</p> <p>3 the end of it, I saw the Robbie Lawlor -- the Lawlor</p> <p>4 fight. But again, you're talking about the lower</p> <p>5 level, the lower tier, Robbie Lawlor. I like Robbie</p> <p>6 Lawlor. I'm the one that brought him into the UFC,</p> <p>7 and he's not in the UFC because he lost three in a</p> <p>8 row. And Ninja wasn't even ranked, and he has a</p> <p>9 title. So, you know, you're talking about lower,</p> <p>10 lower, lower level. I mean, if you picked all those</p> <p>11 shows, you know, to be a No. 2, they're so far,</p> <p>12 No. 2, it's not even funny. And I'm just being</p> <p>13 honest now. I'm not being a wise-ass.</p> <p>14 UNIDENTIFIED SPEAKER: So you don't feel</p> <p>15 there's competition (inaudible)?</p> <p>16 DANA WHITE: No. Competition? No.</p> <p>17 Competition? No. Not at all. I think there are --</p> <p>18 they're necessary. We need those shows because, you</p> <p>19 know, fighters are getting paid, fighters are</p> <p>20 fighting and getting experience and guys are going to</p> <p>21 come up and fight in the UFC some day.</p> <p>22 UNIDENTIFIED SPEAKER: So you look at them</p> <p>23 more as like developmental leagues?</p> <p>24 DANA WHITE: Huh?</p> <p>25 UNIDENTIFIED SPEAKER: You look at them</p> |

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| <p style="text-align: right;">190</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 more as like developmental leagues?</p> <p>3 DANA WHITE: Yeah, they're like the</p> <p>4 Triple A.</p> <p>5 (End of video clip.)</p> <p>6 BY MR. DELL'ANGELO:</p> <p>7 Q. Were you able to hear at the beginning of</p> <p>8 that, Mr. White, that you were asked, can I have your</p> <p>9 thoughts on Bodog and EliteXC.</p> <p>10 A. Yes.</p> <p>11 Q. So was that you depicted in the video?</p> <p>12 A. Yes.</p> <p>13 Q. And did you say that?</p> <p>14 A. A younger me.</p> <p>15 MR. ISAACSON: I'll object to did you say</p> <p>16 that because we haven't said what "that" is. And I'm</p> <p>17 going to object to the use of this on the additional</p> <p>18 grounds that I can't hear some of it, the court</p> <p>19 reporter can't make an accurate transcript of it, and</p> <p>20 I don't know what the witness can hear of it. We can</p> <p>21 obviously hear some parts of it.</p> <p>22 MR. DELL'ANGELO: Again, please.</p> <p>23 MR. ISAACSON: You didn't make that clear</p> <p>24 because people don't know who aren't here what can be</p> <p>25 heard and what can't be heard.</p> | <p style="text-align: right;">192</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 are asking me?</p> <p>3 MR. DELL'ANGELO: I will withdraw the</p> <p>4 question.</p> <p>5 (Exhibit 43 was marked for</p> <p>6 identification by the reporter.)</p> <p>7 BY MR. DELL'ANGELO:</p> <p>8 Q. Here's Exhibit 43. Would you take a look</p> <p>9 at that, please.</p> <p>10 Exhibit 43 is a May 29, 2008 article</p> <p>11 entitled "UFC has fight on hands CBS event latest</p> <p>12 challenge to MMA leader" by Beau Dior in USA Today."</p> <p>13 Do you have Exhibit 4, Mr. White?</p> <p>14 A. Yes.</p> <p>15 Q. And if you look down at the second</p> <p>16 paragraph, it refers to Kimbo Slice?</p> <p>17 A. Yep.</p> <p>18 Q. Kimbo Slice is a former MMA fighter,</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. And 2011, it goes on to say that he</p> <p>22 competes in Elite Xtreme Combat.</p> <p>23 Do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. You can take a minute to read this, but I</p> |
| <p style="text-align: right;">191</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 BY MR. DELL'ANGELO:</p> <p>3 Q. So Mr. White, the statements that you made</p> <p>4 in that video, were they statements that you believed</p> <p>5 to be true at the time?</p> <p>6 MR. ISAACSON: I object to the question</p> <p>7 because the statements can't be heard.</p> <p>8 MR. DELL'ANGELO: I believe the witness</p> <p>9 testified he was able to hear them, right?</p> <p>10 MR. ISAACSON: He did not testify he could</p> <p>11 hear all the statements.</p> <p>12 BY MR. DELL'ANGELO:</p> <p>13 Q. Were you able to hear your statements in</p> <p>14 the video?</p> <p>15 A. I think I did.</p> <p>16 Q. Okay. And to the extent --</p> <p>17 A. I don't know if I missed anything.</p> <p>18 Q. To the extent that you believe you did, are</p> <p>19 they statements that you believed to be true about</p> <p>20 EliteXC?</p> <p>21 MR. ISAACSON: Object to the form of the</p> <p>22 question. We won't know what he heard or did not</p> <p>23 hear.</p> <p>24 THE WITNESS: And what specifically are you</p> <p>25 asking about? What did I say about EliteXC that you</p> | <p style="text-align: right;">193</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 would direct your attention to the quote a few lines</p> <p>3 down where you're quoted as saying "Whether they like</p> <p>4 it or not, they're the farm league," UFC president</p> <p>5 Dana White says."</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. And did you say in May of 2009 that EliteXC</p> <p>9 was a farm league?</p> <p>10 A. It says I said it.</p> <p>11 Q. Okay. Do you have any reason to disagree</p> <p>12 that in May of 2008, you viewed the UFC as a farm</p> <p>13 league?</p> <p>14 A. No.</p> <p>15 (Exhibit 44 was marked for</p> <p>16 identification by the reporter.)</p> <p>17 BY MR. DELL'ANGELO:</p> <p>18 Q. I'm handing you what I've marked as</p> <p>19 Exhibit 44, Mr. White. There you go.</p> <p>20 Exhibit 44 is an article from ESPN.com,</p> <p>21 dated July 6, 2007, titled "White not worried about</p> <p>22 the competition."</p> <p>23 A. Yes.</p> <p>24 Q. All right. And if you look toward the</p> <p>25 bottom of the page, do you see, the very last line,</p> |

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| <p style="text-align: right;">194</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 it says, "ESPN The Magazine" on the first page?</p> <p>3 A. Yes.</p> <p>4 Q. Then if you go up, it says, "ESPN the</p> <p>5 magazine" again. Then it follows, "do you watch</p> <p>6 other shows."</p> <p>7 Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. Then go up one more. "ESPN The Magazine</p> <p>10 how do you feel."</p> <p>11 Do see that?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. It says:</p> <p>14 "ESPN The Magazine: How do you</p> <p>15 feel about the IFL, Bodog, EliteXC</p> <p>16 and the other competition popping</p> <p>17 up?"</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. Would you read your answer, please.</p> <p>21 A. "It's good for us. I don't</p> <p>22 Look at those guys as competition at</p> <p>23 all. They're nowhere near the</p> <p>24 league that we're in. I need shows</p> <p>25 like this. They're the feeder</p> | <p style="text-align: right;">196</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 said I'm totally scared of all these guys and I'm</p> <p>3 worried about them because you are talking about IFL</p> <p>4 who those guys had a lot of money, and the guy from</p> <p>5 Bodog, another criminal, but he had a lot of money.</p> <p>6 BY MR. DELL'ANGELO:</p> <p>7 Q. Just so I'm clear, are you saying that take</p> <p>8 the time in 2007 that you were scared about EliteXC</p> <p>9 and Bodog as competing promotions to the UFC?</p> <p>10 A. Well, you're insane if you don't worry</p> <p>11 about your competition. You absolutely have to worry</p> <p>12 about your competition.</p> <p>13 Q. And so, was EliteXC and Bodog competition</p> <p>14 that you were concerned about in 2007?</p> <p>15 A. Yeah. So Bodog, this guy had nothing but</p> <p>16 cash. The guy lived on an island somewhere, Calvin</p> <p>17 Ayre, who was doing illegal gaming and was offering</p> <p>18 guys huge money just to fly out and hang out with him</p> <p>19 on the island. And yeah, you got to. You got to</p> <p>20 worry about that.</p> <p>21 Q. So you were legitimately concerned about</p> <p>22 Bodog as a competitor as well?</p> <p>23 A. Definitely.</p> <p>24 Q. They're not in business anymore, right?</p> <p>25 Let me withdraw that. They're not in the</p> |
| <p style="text-align: right;">195</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 leagues. All the guys who fight in</p> <p>3 those shows aspire to be in the UFC</p> <p>4 some day. They're creating all the</p> <p>5 UFC talent of tomorrow."</p> <p>6 Q. Did you say that in July of 2007?</p> <p>7 A. I don't know.</p> <p>8 Q. Any reason that you disagree that that</p> <p>9 was -- well, withdraw that.</p> <p>10 Was that true in July of 2007?</p> <p>11 MR. ISAACSON: Objection to form.</p> <p>12 THE WITNESS: Any reason not to believe it</p> <p>13 was true?</p> <p>14 BY MR. DELL'ANGELO:</p> <p>15 Q. Withdraw again.</p> <p>16 Yeah. Do you believe that was true in July</p> <p>17 of 2007?</p> <p>18 MR. ISAACSON: Objection to form.</p> <p>19 THE WITNESS: Should I said I'm horrified</p> <p>20 and terrified of all this competition?</p> <p>21 BY MR. DELL'ANGELO:</p> <p>22 Q. I'm just asking for the truth, Mr. White.</p> <p>23 A. It's the truth.</p> <p>24 MR. ISAACSON: Objection to form.</p> <p>25 THE WITNESS: The truth is I should have</p> | <p style="text-align: right;">197</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 MMA promotion business, correct?</p> <p>3 A. I'm not sure, but I think he's in prison,</p> <p>4 so yeah, it would be pretty tough for him to be in</p> <p>5 business.</p> <p>6 Q. I'm asking about the business itself. Do</p> <p>7 you know if Bodog is still promoting MMA events?</p> <p>8 A. I don't think so. I don't know, though.</p> <p>9 Q. Okay.</p> <p>10 A. He could be. I think he's in prison.</p> <p>11 Q. Affliction entertainment, is that an MMA</p> <p>12 promotion created by Affliction clothing?</p> <p>13 A. Yes.</p> <p>14 Q. And was Affliction clothing in the business</p> <p>15 of sponsoring MMA fighters?</p> <p>16 A. Yes.</p> <p>17 Q. And did Affliction clothing ever sponsor</p> <p>18 fighters in the UFC?</p> <p>19 A. Yes.</p> <p>20 Q. And did Affliction clothing sponsor UFC</p> <p>21 fighters at the time that Affliction Entertainment</p> <p>22 was promoting MMA events?</p> <p>23 A. Yes.</p> <p>24 Q. And when did you first learn that</p> <p>25 Affliction was going to start promoting MMA events?</p> |

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| <p style="text-align: right;">198</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. I don't remember.</p> <p>3 Q. And is it true that there came a time when</p> <p>4 the UFC banned Affliction from sponsoring UFC</p> <p>5 fighters?</p> <p>6 A. I don't know exactly when, but I believe</p> <p>7 so, yes.</p> <p>8 (Exhibit 45 was marked for</p> <p>9 identification by the reporter.)</p> <p>10 BY MR. DELL'ANGELO:</p> <p>11 Q. I'm going to show you -- do you recall</p> <p>12 meeting with a representative of Affliction about</p> <p>13 shutting down Affliction's MMA promotion?</p> <p>14 A. No. I don't really -- one of the owners of</p> <p>15 Affliction used to call and threaten my life every</p> <p>16 day, yeah.</p> <p>17 Q. Do you recall ever meeting with a lawyer</p> <p>18 for Affliction about having Affliction shut down</p> <p>19 their MMA promotion?</p> <p>20 A. No. Todd Beard. I couldn't remember his</p> <p>21 name. Todd Beard.</p> <p>22 Q. Let me show you what I've marked as</p> <p>23 Exhibit 45.</p> <p>24 For the record, Exhibit 5 is afternoon</p> <p>25 article from Bloody Elbow by Nate Wilcox, dated</p> | <p style="text-align: right;">200</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Yes.</p> <p>3 Q. Do you deny that the UFC told he flicks</p> <p>4 that it would remove its ban on UFC fighters wearing</p> <p>5 Affliction T-shirts if Affliction would stop</p> <p>6 promoting MMA events?</p> <p>7 A. I don't remember that.</p> <p>8 MR. ISAACSON: Objection to form.</p> <p>9 THE WITNESS: Oh, I'm sorry.</p> <p>10 No, I don't remember that. I don't</p> <p>11 remember that.</p> <p>12 (Exhibit 46 was marked for</p> <p>13 identification by the reporter.)</p> <p>14 BY MR. DELL'ANGELO:</p> <p>15 Q. I'm handing you what I've marked as</p> <p>16 Exhibit 46 to the deposition.</p> <p>17 Exhibit 46 is a one-page email ZFL-2674805</p> <p>18 from Kirk Hendrick to you, Dana White, Lorenzo</p> <p>19 Fertitta, and Lawrence Epstein and John Mulkey.</p> <p>20 Do you have Exhibit 46?</p> <p>21 A. I do.</p> <p>22 Q. And do you have any reason to believe that</p> <p>23 you didn't receive Exhibit 46 on or about</p> <p>24 September 29, 2008?</p> <p>25 A. No.</p> |
| <p style="text-align: right;">199</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 July 24, 2009 that includes quotes attributed to Dana</p> <p>3 White.</p> <p>4 And do you know Ken Iole?</p> <p>5 A. Kevin Iole, yes.</p> <p>6 Q. And who Kevin Iole?</p> <p>7 A. Well, I laugh every time you say Bloody</p> <p>8 Elbow, but Kevin Iole is a legit reporter.</p> <p>9 MR. ISAACSON: So this seems to be a</p> <p>10 publication of some sort of excerpt, so I will object</p> <p>11 to the use of this document on completeness grounds.</p> <p>12 MR. DELL'ANGELO: Okay.</p> <p>13 THE WITNESS: It's not from a real -- it's</p> <p>14 not a legitimate news source.</p> <p>15 BY MR. DELL'ANGELO:</p> <p>16 Q. If you look at the second page, it</p> <p>17 attributes -- it says that you said:</p> <p>18 "White said an Affliction attorney</p> <p>19 flew to Las Vegas only days after</p> <p>20 UFC 100 and offered to fold and turn</p> <p>21 its contracts over to the UFC if the</p> <p>22 UFC would remove its ban on its</p> <p>23 fighters wearing Affliction</p> <p>24 T-shirts."</p> <p>25 Do you see that?</p> | <p style="text-align: right;">201</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. And who is Kirk Hendrick in September of</p> <p>3 2008?</p> <p>4 A. Kirk was the -- was our head of legal and</p> <p>5 our COO.</p> <p>6 Q. And if you see, that is a draft letter from</p> <p>7 Mr. Hendrick that he's sending to you, among others.</p> <p>8 Do you see that?</p> <p>9 A. Actually, he was the COO, and Lawrence was</p> <p>10 the general counsel then.</p> <p>11 Q. And do you see the draft letter that</p> <p>12 Mr. Hendrick is sending in the email at Exhibit 46?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And he's referring to Tom. Do you</p> <p>15 know who Tom is?</p> <p>16 A. Yeah, Tom Atencio.</p> <p>17 Q. He was running Affliction at the time?</p> <p>18 A. Yes.</p> <p>19 Q. And he's also referring to Courtney. Do</p> <p>20 you recall who that is?</p> <p>21 A. No.</p> <p>22 Q. Would you take a look at the second</p> <p>23 sentence, it says:</p> <p>24 "During the meeting, Affliction</p> <p>25 expressed interest in exiting the</p> |

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| <p style="text-align: right;">210</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Yes. I have nicknames.</p> <p>3 Q. Did you call -- there came a time when the</p> <p>4 UFC acquired Strikeforce, right?</p> <p>5 A. Right.</p> <p>6 Q. And after the UFC acquired Strikeforce, did</p> <p>7 you stop calling Strikeforce Strike Farse?</p> <p>8 A. I did.</p> <p>9 Q. Did you hear yourself call Strikeforce a</p> <p>10 tiny little regional show with nobody in it?</p> <p>11 A. Yes.</p> <p>12 Q. Is that something that you believed to be</p> <p>13 true in August of 2009?</p> <p>14 A. I don't know what I believed in August of,</p> <p>15 you know, 2009, but yeah, I said it.</p> <p>16 Q. Okay. Was there a -- was there a time when</p> <p>17 you believed that Strikeforce was a tiny little</p> <p>18 regional show with nobody in it?</p> <p>19 A. Is there a time that I believed that?</p> <p>20 Q. Yes.</p> <p>21 A. Apparently.</p> <p>22 Q. Well, as you sit here today, do you know</p> <p>23 whether or not you believed that at some point?</p> <p>24 A. I've done a zillion of those interviews. I</p> <p>25 don't know what I believed at the time when I said</p> | <p style="text-align: right;">212</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 (End of video clip.)</p> <p>3 MR. KOFFMAN: Sorry, I think I played the</p> <p>4 wrong one.</p> <p>5 MR. DELL'ANGELO: All right.</p> <p>6 (Video clip played.)</p> <p>7 UNIDENTIFIED SPEAKER: You've always spoken</p> <p>8 highly about Strikeforce, but are the gloves off now?</p> <p>9 They're having a conference call with Fedor at the</p> <p>10 very same time as your press conference. Are you</p> <p>11 going to look upon Strikeforce as benignly? You</p> <p>12 always say when people come at you, you're there. Do</p> <p>13 they come at you now?</p> <p>14 DANA WHITE: You just answered your own</p> <p>15 question. They should have stayed the way they were.</p> <p>16 UNIDENTIFIED SPEAKER: So are you going to</p> <p>17 do the same things you did with Affliction and</p> <p>18 counterprogram?</p> <p>19 DANA WHITE: We'll see what happens. If</p> <p>20 they want to fight anymore, we'll fight. We know how</p> <p>21 that goes, and you know how it ends.</p> <p>22 MR. ISAACSON: So I'll object because the</p> <p>23 questioner was inaudible at times, so the court</p> <p>24 reporter is unable to create a transcript.</p> <p>25 MR. DELL'ANGELO: I'm not really sure how</p> |
| <p style="text-align: right;">211</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 it, but I said it.</p> <p>3 Q. All right. And there came a time when</p> <p>4 Strikeforce was trying to become more than a tiny</p> <p>5 little regional show, right?</p> <p>6 A. I don't know what their intentions were</p> <p>7 when they were building their business.</p> <p>8 Q. All right. I'm going to play you another</p> <p>9 video clip taken from the same August 6, 2009 UFC 101</p> <p>10 prefight press conference in Philadelphia, which is</p> <p>11 an excerpt, which we will mark as Exhibit 48.</p> <p>12 (Exhibit 48 was marked for</p> <p>13 identification by the reporter.)</p> <p>14 MR. ISAACSON: Object to the use of this</p> <p>15 exhibit on completeness grounds.</p> <p>16 BY MR. DELL'ANGELO:</p> <p>17 Q. Mr. White, would you direct your attention</p> <p>18 to the video monitor and watch the clip we're to</p> <p>19 play.</p> <p>20 A. Yes.</p> <p>21 (Video clip played.)</p> <p>22 DANA WHITE: Strikeforce probably isn't</p> <p>23 even the deal that he had with Affliction. You know</p> <p>24 what I mean? They have no money. They have no</p> <p>25 money.</p> | <p style="text-align: right;">213</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 you can know that but...</p> <p>3 MR. ISAACSON: Because she's typed into the</p> <p>4 transcript "I cannot hear."</p> <p>5 MR. DELL'ANGELO: Okay. You have the</p> <p>6 Livenote, I don't. So now we know.</p> <p>7 BY MR. DELL'ANGELO:</p> <p>8 Q. Mr. White, in the video that was just</p> <p>9 played, you were asked a question about Strikeforce,</p> <p>10 and you said that they should have stayed the way</p> <p>11 they were.</p> <p>12 Were you able to hear that part?</p> <p>13 A. Yes.</p> <p>14 Q. And what did you mean that Strikeforce</p> <p>15 should have stayed the way they were?</p> <p>16 A. I don't know. But boy, was I wrong, that</p> <p>17 they didn't have any money. They lost 30-something</p> <p>18 million dollars, so I guess I was wrong on that one.</p> <p>19 They had money.</p> <p>20 Q. You ultimately acquired them, though,</p> <p>21 right?</p> <p>22 A. Yes.</p> <p>23 Q. And did you acquire them because they had</p> <p>24 something that the UFC wanted?</p> <p>25 A. Yes.</p> |

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| <p style="text-align: right;">214</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. And what was it that Strikeforce wanted</p> <p>3 that the -- sorry. Withdraw that.</p> <p>4 What is it that the UFC wanted that</p> <p>5 Strikeforce had when it acquired them?</p> <p>6 A. Women, we were interested in some of the</p> <p>7 fighters.</p> <p>8 Q. Okay. And what fighters were those?</p> <p>9 A. Robbie Lawlor, which is funny because from</p> <p>10 the other video I said Robbie Lawlor had lost three</p> <p>11 in a row. Robbie Lawlor ended up becoming a world</p> <p>12 champion for us.</p> <p>13 And Daniel Cormier, Luke Rockhold. You</p> <p>14 know, they had a lot of really good fighters we were</p> <p>15 interested in.</p> <p>16 Q. Any others that you can think of?</p> <p>17 A. Not off the top of my head, no.</p> <p>18 Q. So you gave me --</p> <p>19 A. Those are the ones that stand out.</p> <p>20 Oh, and they had Ronda Rousey. They had</p> <p>21 Ronda Rousey too.</p> <p>22 Q. So you've given knee Cormier, Lawlor,</p> <p>23 Rousey, and Rockhold, right?</p> <p>24 A. Yes.</p> <p>25 Q. And Dan Cormier and -- Dan Cormier, Robbie</p> | <p style="text-align: right;">216</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. That's a good -- yes.</p> <p>3 Q. Isn't it also true that the UFC acquired</p> <p>4 Alistair Overeem from Strikeforce?</p> <p>5 A. I didn't know that, but yes.</p> <p>6 Q. Did Alistair Overeem go on to become a</p> <p>7 championship contender in the UFC?</p> <p>8 A. Yes.</p> <p>9 Q. And what about Dan Henderson, did</p> <p>10 Strikeforce acquire Dan Henderson -- sorry, withdraw</p> <p>11 that.</p> <p>12 Did the UFC acquire Dan Henderson from</p> <p>13 Strikeforce?</p> <p>14 A. Yes.</p> <p>15 Q. And Mr. Henderson went on to be a UFC</p> <p>16 championship contender as well, right?</p> <p>17 A. Yes.</p> <p>18 Q. What about Jake Shields, did UFC acquire</p> <p>19 Jake Shields from Strikeforce?</p> <p>20 A. Yes.</p> <p>21 Q. And Mr. Shields went on to be a UFC</p> <p>22 contender as well, didn't he?</p> <p>23 A. Yes.</p> <p>24 Q. What about Gilbert Melendez, did the UFC</p> <p>25 acquire Gilbert Melendez from Strikeforce?</p> |
| <p style="text-align: right;">215</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Lawlor, Ronda Rousey, Luke Rockhold, all of whom the</p> <p>3 UFC acquired from Strikeforce, went on to become</p> <p>4 champions in the UFC, didn't they?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And the UFC also acquired Fabricio</p> <p>7 Werdum from Strikeforce, right?</p> <p>8 A. Werdum, yes.</p> <p>9 Q. And he went on to become a champion --</p> <p>10 A. Yes.</p> <p>11 Q. -- in the UFC, correct?</p> <p>12 A. Yes.</p> <p>13 Q. And Strikeforce also -- sorry, withdraw</p> <p>14 that.</p> <p>15 UFC also acquired Miesha Tate from</p> <p>16 Strikeforce, right?</p> <p>17 A. I didn't think of that. Miesha Tate, yes.</p> <p>18 Q. And she went on to become a champion in the</p> <p>19 UFC?</p> <p>20 A. Yes.</p> <p>21 Q. What about Tyron Woodley, did UFC acquire</p> <p>22 Tyron Woodley from Strikeforce?</p> <p>23 A. Yes.</p> <p>24 Q. And he went on to become a champion in the</p> <p>25 UFC as well, right?</p> | <p style="text-align: right;">217</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Yes.</p> <p>3 Q. And Mr. Melendez went on to be a</p> <p>4 championship contender as well, didn't he?</p> <p>5 A. Yes.</p> <p>6 Q. And Yoel Romero, did the UFC acquire</p> <p>7 promoting Romero?</p> <p>8 A. I didn't remember that he came from there.</p> <p>9 Q. But is it correct that Mr. Romero came from</p> <p>10 Strikeforce to the UFC?</p> <p>11 A. I guess so, yeah. I didn't remember that.</p> <p>12 Yeah.</p> <p>13 Q. Okay. I understand that.</p> <p>14 Do you recall that --</p> <p>15 MR. ISAACSON: I don't think I'm being</p> <p>16 difficult here to say he really needs your testimony</p> <p>17 as to what you know, and we don't think he's</p> <p>18 misleading you with these questions, but it doesn't</p> <p>19 actually help him to say I agree with you because</p> <p>20 you're saying it.</p> <p>21 And I think I'm being helpful with this</p> <p>22 comment.</p> <p>23 So if you actually don't know, tell him.</p> <p>24 THE WITNESS: Okay. I don't know about Gil</p> <p>25 Romero, no.</p> |

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| <p style="text-align: right;">218</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 BY MR. DELL'ANGELO:</p> <p>3 Q. So just so be clear, your testimony is that</p> <p>4 you don't recall if the UFC acquired Yoel Romero from</p> <p>5 Strikeforce, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Just so we're clear, I want your testimony</p> <p>8 to be clear as well.</p> <p>9 A. Okay.</p> <p>10 Q. So if there's something I'm asking you that</p> <p>11 you're not clear on or you don't know the answer,</p> <p>12 just let me know, and we'll try to get it cleared up.</p> <p>13 Now about Nick Diaz?</p> <p>14 A. Yes.</p> <p>15 Q. Did the UFC acquire Nick Diaz from</p> <p>16 Strikeforce?</p> <p>17 A. Yes.</p> <p>18 Q. And Mr. Diaz went on to become a</p> <p>19 championship contender in the UFC as well, correct?</p> <p>20 A. I think he fought for a title before he</p> <p>21 went to Strikeforce. But yeah, he's a very popular,</p> <p>22 famous fighter, yes.</p> <p>23 Q. I'm going to give you a list of fighters,</p> <p>24 and can you tell me if they're also all fighters that</p> <p>25 the UFC acquired from Strikeforce?</p> | <p style="text-align: right;">220</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. And Josh Barnett, the UFC also acquired</p> <p>3 Josh Barnett from Strikeforce, correct?</p> <p>4 A. Yes.</p> <p>5 Q. And Gegard Mousasi?</p> <p>6 A. Mousasi, yes.</p> <p>7 Q. Mousasi. Also acquired by the UFC from</p> <p>8 Strikeforce, correct?</p> <p>9 A. Yes.</p> <p>10 Q. And Rafael Cavalcante, also acquired by the</p> <p>11 UFC from Strikeforce; is that correct?</p> <p>12 A. Yes.</p> <p>13 Q. And those fighters, Cavalcante, Mousasi,</p> <p>14 Souza, Thompson, Larkin, Kennedy, Silva, Barnett,</p> <p>15 Larkin, Daley, all popular fighters in the UFC?</p> <p>16 A. Yes.</p> <p>17 Q. And have achieved some meaningful level of</p> <p>18 success even if they didn't become champions in the</p> <p>19 UFC?</p> <p>20 A. Yeah. What is crazy is you just laid out</p> <p>21 for me how horrible they were at promoting. There's</p> <p>22 amazing.</p> <p>23 Q. Because they actually had a lot of great</p> <p>24 fighters -- that is, Strikeforce actually had a lot</p> <p>25 of great fighters when the UFC acquired them, right?</p> |
| <p style="text-align: right;">219</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Paul Daley, did UFC get him from</p> <p>3 Strikeforce?</p> <p>4 A. I don't -- I don't remember where we got</p> <p>5 him.</p> <p>6 Q. Okay. How about Lorenz Larkin, do you</p> <p>7 recall if the UFC acquired Mr. Larkin from</p> <p>8 Strikeforce?</p> <p>9 A. I don't.</p> <p>10 Q. How about Josh Thompson?</p> <p>11 A. Yes.</p> <p>12 Q. Josh Thompson was acquired from</p> <p>13 Strikeforce?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. How about Ronaldo Souza?</p> <p>16 A. Jacare, yes.</p> <p>17 Q. How about Tim Kennedy?</p> <p>18 A. Yes.</p> <p>19 Q. UFC acquired Tim Kennedy from Strikeforce?</p> <p>20 A. Yes.</p> <p>21 Q. And Antonio Silva --</p> <p>22 A. Yes.</p> <p>23 Q. -- the UFC acquired Mr. Silva from</p> <p>24 Strikeforce?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">221</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Yeah. If you can't turn those guys into</p> <p>3 stars and run your business, you should probably get</p> <p>4 into another line of work.</p> <p>5 Q. Was there a concern at UFC that sponsors</p> <p>6 might be sponsoring -- well, let me withdraw that.</p> <p>7 Was there a concern at the UFC that</p> <p>8 sponsors were sponsoring fighters in Strikeforce</p> <p>9 which would as a result provide those Strikeforce</p> <p>10 fighters with a revenue stream?</p> <p>11 MR. ISAACSON: Objection to form.</p> <p>12 THE WITNESS: Was there a concern that</p> <p>13 sponsors sponsoring Strikeforce would give them a</p> <p>14 stream of revenue?</p> <p>15 BY MR. DELL'ANGELO:</p> <p>16 Q. Yeah. Let me ask it a different way, so</p> <p>17 I'll withdraw the question.</p> <p>18 Do you recall a concern at the UFC that</p> <p>19 when -- that if sponsors sponsored a Strikeforce</p> <p>20 fighter that by doing so, they would be providing</p> <p>21 Strikeforce fighters with revenue?</p> <p>22 A. No. I can't control who sponsors want to</p> <p>23 sponsor.</p> <p>24 I mean, for Bellator right now, Bellator</p> <p>25 has Dave and busters. We've never had Dave and</p> |

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| <p style="text-align: right;">222</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 busters. And they have other sponsors that we don't</p> <p>3 have either. I can't control who sponsors what.</p> <p>4 Q. Were you aware that there came a time in</p> <p>5 mid-2010 when the UFC would not allow sponsors to</p> <p>6 sponsor UFC fighters if they also sponsored</p> <p>7 Strikeforce fighters?</p> <p>8 A. I don't know. I don't know the answer to</p> <p>9 that.</p> <p>10 Q. Do you know who Stratton Scavos is?</p> <p>11 A. Stratton Scavos? No.</p> <p>12 Q. Do you recall participating in</p> <p>13 conversations with anybody at Strikeforce or silicon</p> <p>14 valley sports entertainment about the UFC's potential</p> <p>15 acquisition of Strikeforce?</p> <p>16 MR. ISAACSON: Objection to form.</p> <p>17 THE WITNESS: There was -- I think you just</p> <p>18 asked him if he was talking to anybody at Strikeforce</p> <p>19 about acquiring Strikeforce.</p> <p>20 MR. DELL'ANGELO: Well, yeah.</p> <p>21 MR. ISAACSON: Okay.</p> <p>22 BY MR. DELL'ANGELO:</p> <p>23 Q. So do you recall speaking to anybody</p> <p>24 involved with Strikeforce or Silicon Valley Sports &</p> <p>25 Entertainment about the UFC acquiring Strikeforce?</p> | <p style="text-align: right;">224</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 (Exhibit 49 was marked for</p> <p>3 identification by the reporter.)</p> <p>4 BY MR. DELL'ANGELO:</p> <p>5 Q. Mr. White, I'm handing you what I've marked</p> <p>6 as Exhibit 49 to the deposition.</p> <p>7 Exhibit 49 is April August 5th, 2010</p> <p>8 article from the San Jose Mercury News, byline Mark</p> <p>9 Emmons, E-m-m-o-n-s.</p> <p>10 Mr. White, would you look at the second</p> <p>11 page of the document, please. About three-quarters</p> <p>12 of the way down the page, there is a quote of you</p> <p>13 that begins with, "They're a lower league."</p> <p>14 Do you see that?</p> <p>15 A. What paragraph is it?</p> <p>16 Q. It is the fifth from the -- if you're</p> <p>17 counting from the bottom, it's the fifth one up.</p> <p>18 A. Yes.</p> <p>19 Q. Okay. Would you read that, please.</p> <p>20 A. "They're a lower league, he</p> <p>21 said. There's a million</p> <p>22 Strikeforces out there, which is a</p> <p>23 good thing. We need somebody to</p> <p>24 bring along talent. Nobody's dream</p> <p>25 growing up is to fight in</p> |
| <p style="text-align: right;">223</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. There was a conference call.</p> <p>3 Q. Okay.</p> <p>4 A. I don't know who was on the phone or who</p> <p>5 was involved in it.</p> <p>6 Q. Okay. Do you recall participating in such</p> <p>7 a conference call?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. What do you recall about the</p> <p>10 conference call?</p> <p>11 A. They had called and were interested in us</p> <p>12 purchasing Strikeforce for the number started</p> <p>13 something crazy like 35 or \$37 million.</p> <p>14 Q. And what did the UFC ultimately pay for</p> <p>15 Strikeforce?</p> <p>16 A. I don't remember exactly, but I know it was</p> <p>17 in the -- in the low 30s.</p> <p>18 Q. It was pretty close though that 35</p> <p>19 million-dollar number that you just characterized as</p> <p>20 crazy?</p> <p>21 A. I thought it was 32, but yeah, I wouldn't</p> <p>22 be surprised to hear it was more.</p> <p>23 Q. You wouldn't be surprised to hear it was is</p> <p>24 more than what?</p> <p>25 A. 32.</p> | <p style="text-align: right;">225</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Strikeforce. Everybody wants to</p> <p>3 fight in the UFC, and Strikeforce is</p> <p>4 one of the steppingstones that helps</p> <p>5 you get there."</p> <p>6 Q. Did you say that?</p> <p>7 A. I don't remember saying it, but --</p> <p>8 Q. Do you believe it's true?</p> <p>9 A. Do you believe that I said that?</p> <p>10 Q. Do you believe that that statement was true</p> <p>11 in August of 2010?</p> <p>12 A. Not if you look at the roster they had, no.</p> <p>13 Q. And why is that?</p> <p>14 A. Because their roster was incredible if you</p> <p>15 look at what everybody has done in Strikeforce. It's</p> <p>16 just, these guys don't know how to promote. It's not</p> <p>17 what they're good at.</p> <p>18 Q. Now, in January of 2011, isn't it correct</p> <p>19 that the UFC had too many fighters on its roster?</p> <p>20 A. According to who?</p> <p>21 Q. Well, how about according to you?</p> <p>22 A. Okay. According to me, we had too many</p> <p>23 fighters on the roster?</p> <p>24 Q. I'm asking if in January of 2011, you</p> <p>25 believed that the UFC had too many fighters on its</p> |

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| <p style="text-align: right;">226</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 roster?</p> <p>3 A. I have no idea.</p> <p>4 (Exhibit 50 was marked for</p> <p>5 identification by the reporter.)</p> <p>6 BY MR. DELL'ANGELO:</p> <p>7 Q. Let me show you what I've marked as</p> <p>8 Exhibit 50. It's a two-page email chain,</p> <p>9 ZUF-00325418 from Joe Silva to you, Lorenzo Fertitta,</p> <p>10 Brad Smuckler and John Mulkey, subject line bonus and</p> <p>11 cuts.</p> <p>12 Do you have Exhibit 50?</p> <p>13 And I know we mentioned -- do you have</p> <p>14 Exhibit 50?</p> <p>15 A. Yeah.</p> <p>16 Q. And I know we mentioned Mr. Silva earlier</p> <p>17 today, but to confirm, he was the UFC's chief</p> <p>18 matchmaker in January of 2011; is that correct?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. And if you look at the last line of</p> <p>21 the email from Mr. Silva on the second page, he says:</p> <p>22 "If I cut five guys a show and</p> <p>23 don't sign anyone new for ten shows,</p> <p>24 I STILL have too many guys under</p> <p>25 contract."</p> | <p style="text-align: right;">228</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. In 2011, what did I think -- where do I</p> <p>3 think the UFC stood compared to other promotions?</p> <p>4 Q. Correct.</p> <p>5 A. I don't know what I thought in 2011.</p> <p>6 Q. Do you recall what Joe Silva told you he</p> <p>7 thought?</p> <p>8 A. No.</p> <p>9 (Exhibit 51 was marked for</p> <p>10 identification by the reporter.)</p> <p>11 BY MR. DELL'ANGELO:</p> <p>12 Q. Let me show you Exhibit 51.</p> <p>13 Exhibit 1 is an email from Joe Silva to</p> <p>14 you, Lorenzo Fertitta, and Sean Shelby at</p> <p>15 ZUF-0085896. And the subject line is, "We own MMA."</p> <p>16 Do you recall this email?</p> <p>17 A. No.</p> <p>18 Q. And this appears to be rankings by various</p> <p>19 weight divisions of MMA fighters in February of</p> <p>20 2011 -- excuse me -- as of January 2011, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And do you at the top, Mr. Silva gives a</p> <p>23 break down of the number of fighters that the UFC has</p> <p>24 out of the top 25 and out of the top 10?</p> <p>25 A. Yep.</p> |
| <p style="text-align: right;">227</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 And "still" is in all caps. Do you see</p> <p>3 that?</p> <p>4 A. Yes.</p> <p>5 Q. Do you have any reason to believe that you</p> <p>6 didn't receive Mr. Silva's email in January ever 2011</p> <p>7 indicating that he believed that even if he cut five</p> <p>8 guys a show for ten shows, he'd still have too many</p> <p>9 guys under contract?</p> <p>10 A. You said according to me. It wasn't</p> <p>11 according to me, it was according to Joe Silva.</p> <p>12 Q. I'm now asking about this document.</p> <p>13 A. Okay. Well, that's Joe Silva. Joe Silva</p> <p>14 believed we should have never done more than five</p> <p>15 shows a year. Joe Silva believed that there wasn't a</p> <p>16 good enough good talent to move into other countries.</p> <p>17 He believed that certain countries, like England and</p> <p>18 other places, didn't have -- Joe Silva is not a</p> <p>19 businessman, Joe Silva is a matchmaker.</p> <p>20 So if Joe Silva had his way, we'd still be</p> <p>21 doing five events a year and a lot of other things.</p> <p>22 Q. In February of 2011, about a month after</p> <p>23 the email that I just showed you in Exhibit 50, what</p> <p>24 was -- what was your view of where the UFC stood</p> <p>25 relative to other MMA promotions?</p> | <p style="text-align: right;">229</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Okay. And let's go through these. Would</p> <p>3 you look at the heavyweight MMA rankings on the first</p> <p>4 page.</p> <p>5 A. Yes.</p> <p>6 Q. Okay. If you look down to rank, down to</p> <p>7 No. 17, right, isn't it correct that the UFC or</p> <p>8 Strikeforce had all of the top 17 fighters, noting</p> <p>9 that Fedor Emelianenko at rank 3 was M-1</p> <p>10 Global/Strikeforce?</p> <p>11 A. What's the question?</p> <p>12 Q. Just is it correct, based on this document,</p> <p>13 that the UFC and Strikeforce had the top 17</p> <p>14 heavyweight MMA fighters as of January 2011?</p> <p>15 A. Yes.</p> <p>16 Q. Then let's go to the next page and look at</p> <p>17 light heavyweight MMA.</p> <p>18 Is it true based on this that the UFC and</p> <p>19 Strikeforce had the top 21 light heavyweight fighters</p> <p>20 as of January 27, 2011?</p> <p>21 A. Yes.</p> <p>22 Q. And if you look at that, if you continue</p> <p>23 down to 25, it's also true, is it not, that there was</p> <p>24 only one fighter that was ranked in the top 25 of the</p> <p>25 lightweight division, and that's No. 2, Trevor</p> |

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| <p style="text-align: right;">230</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Prangley, who was not in either Strikeforce or the</p> <p>3 UFC, correct?</p> <p>4 A. Right.</p> <p>5 Q. And then, let's go further down the page to</p> <p>6 middle weight MMA, which continues on to page 898.</p> <p>7 You see that through the first 20 top</p> <p>8 ranked middleweight MMA fighters, there's only one,</p> <p>9 No. 13, Hector Lombard, and a second one, 18, Mamed</p> <p>10 Khalidov, who were not in Strikeforce or the UFC at</p> <p>11 that time, correct?</p> <p>12 A. Um-hmm.</p> <p>13 Q. And that's a "Yes"?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. And so, let's continue on to</p> <p>16 welterweight, a little further down the page.</p> <p>17 Is it correct that the UFC and Strikeforce</p> <p>18 had all the top 16 ranked well terms negotiated</p> <p>19 weights as of January 27, 2001?</p> <p>20 A. Yes.</p> <p>21 Q. And if you look at those rankings, it's</p> <p>22 also true, is it not, that there's only two fighters,</p> <p>23 No. 17 and No. 18, Jay Hieron and Ben Askren, who</p> <p>24 were not in either the UFC or Strikeforce at the</p> <p>25 time, correct?</p> | <p style="text-align: right;">232</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. 17 of the top 25 are in UFC or</p> <p>5 Strikeforce, right?</p> <p>6 A. Yes.</p> <p>7 Q. And we could go on.</p> <p>8 Feather weight, UFC has 6 of the top so,</p> <p>9 right?</p> <p>10 A. Yeah.</p> <p>11 Q. And in bantamweight, the UFC had 9 of the</p> <p>12 top 10, right?</p> <p>13 A. Yes.</p> <p>14 Q. And those bantamweight and featherweight</p> <p>15 divisions, they primarily came from the WEC, right?</p> <p>16 A. Yes.</p> <p>17 Q. And then, so with respect to the</p> <p>18 heavyweight MMA division, the light heavyweight MMA</p> <p>19 division, the middleweight MMA, the welterweight, and</p> <p>20 the lightweight, based on these rankings from</p> <p>21 January 2011, would you agree that the overwhelming</p> <p>22 majority of top ranked fighters were either in the</p> <p>23 UFC or Strikeforce?</p> <p>24 MR. ISAACSON: Objection to form.</p> <p>25 THE WITNESS: What's the question?</p> |
| <p style="text-align: right;">231</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. Yes.</p> <p>3 Q. And then, if you look at the next page,</p> <p>4 lightweight MMA, go down to, say, the first 19 top</p> <p>5 ranked lightweight MMA fighters.</p> <p>6 There are only three, right, No. 4, Eddie</p> <p>7 Alvarez; No. 5, Aoki, and No. 8, Kawajiri, who were</p> <p>8 not under contract with the UFC or Strikeforce at the</p> <p>9 time, correct?</p> <p>10 A. There's four out of the top 10.</p> <p>11 Q. I'm sorry. We missed -- which one did we</p> <p>12 miss?</p> <p>13 A. No. 8. Four in the top 10.</p> <p>14 Q. So as I count it, there are three in the</p> <p>15 top 10 who are not in the UFC or Strikeforce,</p> <p>16 correct? That's Alvarez --</p> <p>17 A. You have Strikeforce, Bellator, K-1, and</p> <p>18 two guys from K-1 are in the top 10.</p> <p>19 Q. But my question is --</p> <p>20 A. Oh, Strikeforce, okay.</p> <p>21 Q. How many fighters are in Strikeforce or the</p> <p>22 UFC?</p> <p>23 A. Right.</p> <p>24 Q. So in the top 10, 7 of the top 10 in the</p> <p>25 lightweight MMA division are from Strikeforce or UFC,</p> | <p style="text-align: right;">233</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 BY MR. DELL'ANGELO:</p> <p>3 Q. Yeah. So my question is, based on</p> <p>4 Exhibit 51, would you agree that for the heavyweight</p> <p>5 MMA division, the light heavyweight MMA division, the</p> <p>6 middleweight MMA division, the welterweight MMA</p> <p>7 division, and the lightweight MMA division, the</p> <p>8 overwhelming majority of top ranked fighters came</p> <p>9 from either the UFC or Strikeforce?</p> <p>10 MR. ISAACSON: Objection to form.</p> <p>11 THE WITNESS: These are opinions. These</p> <p>12 are opinions of I don't know who, but consensus</p> <p>13 rankings post education January 27th. These are</p> <p>14 opinions.</p> <p>15 I don't agree with a lot of these, but yes,</p> <p>16 according to this guy's opinion, yes.</p> <p>17 BY MR. DELL'ANGELO:</p> <p>18 Q. And it was just about a month later that</p> <p>19 the UFC acquired Strikeforce, right?</p> <p>20 A. Right. And Strikeforce called us. It's</p> <p>21 not like we called Strikeforce trying acquire them</p> <p>22 because we thought they had most of the top fighters</p> <p>23 in the world. They called us.</p> <p>24 MR. DELL'ANGELO: Move to strike everything</p> <p>25 after "right" as nonresponsive.</p> |

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| <p style="text-align: right;">234</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Okay. So I'd like to mark as Exhibit 52 a</p> <p>3 video excerpt from March 18th, 2012 interview at</p> <p>4 Inside MMA Newark, New Jersey.</p> <p>5 (Exhibit 52 was marked for</p> <p>6 identification by the reporter.)</p> <p>7 BY MR. DELL'ANGELO:</p> <p>8 Q. Would you take a look at the video monitor,</p> <p>9 Mr. White.</p> <p>10 MR. ISAACSON: I'll object to --</p> <p>11 THE WITNESS: Yes.</p> <p>12 MR. ISAACSON: -- questions based on this</p> <p>13 exhibit based on completeness.</p> <p>14 (Video clip played.)</p> <p>15 UNIDENTIFIED SPEAKER: All right. So is</p> <p>16 there any -- on a personal note, is there any feeling</p> <p>17 of not so much gratitude but you won sort of not the</p> <p>18 battle, but you won the war when it comes to your all</p> <p>19 your competitors?</p> <p>20 DANA WHITE: Yeah. I guess I'm proud of</p> <p>21 what the UFC has become and things that we've</p> <p>22 accomplished. And the guys that were competitors,</p> <p>23 the be honest with you, you know, listen, I'll say</p> <p>24 the same thing I said two weeks ago. I never saw</p> <p>25 Strikeforce as a competitor: I'll say it now, and I</p> | <p style="text-align: right;">236</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 March 2012 excerpt that we just saw that the UFC shut</p> <p>3 down Strikeforce, right?</p> <p>4 A. Yes.</p> <p>5 Q. And the UFC shut down Strikeforce in</p> <p>6 December of 2012, correct?</p> <p>7 A. I don't know.</p> <p>8 (Exhibit 53 was marked for</p> <p>9 identification by the reporter.)</p> <p>10 BY MR. DELL'ANGELO:</p> <p>11 Q. Let me show you what I'm marking as Exhibit</p> <p>12 53, Mr. White.</p> <p>13 Exhibit 53 is a document entitled</p> <p>14 "Strikeforce Impairment Memo" produced by Zuffa in</p> <p>15 the litigation bearing Bates stamp ZFL-2656127, dated</p> <p>16 March 4th, 2013.</p> <p>17 Do you recognize the letterhead there,</p> <p>18 Mr. White, on Exhibit 53?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. And what is that letterhead?</p> <p>21 A. The UFC letterhead.</p> <p>22 Q. So would you look at the first page of the</p> <p>23 document, do you see the section entitled</p> <p>24 "Background"?</p> <p>25 So on the first page of the document, do</p> |
| <p style="text-align: right;">235</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 said it then.</p> <p>3 And Scott Coker never acted like a</p> <p>4 competitor with me. You know, he never came out --</p> <p>5 am I pleased about all the people, you know, that the</p> <p>6 organizations we've crushed before them? Absolutely.</p> <p>7 Yeah, the ones that came out and wanted to fight and</p> <p>8 wanted to make a fight out of it absolutely? I'm</p> <p>9 100 percent happy about that.</p> <p>10 (End video clip.)</p> <p>11 BY MR. DELL'ANGELO:</p> <p>12 Q. Mr. White, is that you depicted on that</p> <p>13 video?</p> <p>14 A. Yes.</p> <p>15 Q. And did you say that?</p> <p>16 A. Yes.</p> <p>17 Q. You said that following --</p> <p>18 MR. ISAACSON: Objection to form.</p> <p>19 BY MR. DELL'ANGELO:</p> <p>20 Q. You said what was depicted on the video</p> <p>21 after the UFC's acquisition of Strikeforce?</p> <p>22 A. Yes.</p> <p>23 MR. ISAACSON: Objection to form.</p> <p>24 BY MR. DELL'ANGELO:</p> <p>25 Q. And there came a time not long after the</p> | <p style="text-align: right;">237</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 you see where it says, "Strikeforce Impairment Memo"?</p> <p>3 A. Yes.</p> <p>4 Q. And just under that, it says, "Background"?</p> <p>5 A. Yes. Okay.</p> <p>6 Q. And if you read down seven lines, there's</p> <p>7 is a sentence that begins, "On December 22, 2012."</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. And it says:</p> <p>11 "On December 22, 2012, Showtime</p> <p>12 and Zuffa, LLC, the company, or</p> <p>13 Zuffa, announced the final</p> <p>14 Strikeforce event would occur in</p> <p>15 January 2013. The Showtime</p> <p>16 agreement would end, and fighters on</p> <p>17 the roster of Strikeforce would be</p> <p>18 an associated into the UFC or</p> <p>19 released."</p> <p>20 Do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Does that refresh your recollection</p> <p>23 as to when the UFC ceased Strikeforce operations?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. And when was that?</p> |

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| <p style="text-align: right;">238</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 A. January 2013.</p> <p>3 Q. Okay. And as a result of the UFC ceasing</p> <p>4 Strikeforce operations, it absorbed Strikeforce</p> <p>5 fighters or released those whom it didn't absorb into</p> <p>6 the UFC, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And the Strikeforce acquisition was very</p> <p>9 beneficial to the UFC, wasn't it?</p> <p>10 A. Was it beneficial?</p> <p>11 Q. Yeah.</p> <p>12 A. We've turned everything we've done into</p> <p>13 success.</p> <p>14 Q. And the Strikeforce acquisition enabled the</p> <p>15 UFC to put on some really massive fights, right?</p> <p>16 A. Yeah --</p> <p>17 MR. ISAACSON: Objection.</p> <p>18 THE WITNESS: I wasn't out looking to</p> <p>19 acquire Strikeforce. Strikeforce called us.</p> <p>20 BY MR. DELL'ANGELO:</p> <p>21 Q. My question -- move to strike as</p> <p>22 nonresponsive.</p> <p>23 My question to you is: Did the UFC's of</p> <p>24 Strikeforce allow the UFC to put on massive fights?</p> <p>25 MR. ISAACSON: Objection to form.</p> | <p style="text-align: right;">240</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 I will mark this as Exhibit 54.</p> <p>3 (Exhibit 54 was marked for</p> <p>4 identification by the reporter.)</p> <p>5 MR. ISAACSON: I'll object to the use of</p> <p>6 this exhibit in question on the grounds of</p> <p>7 completeness. You said before what the date of this</p> <p>8 was.</p> <p>9 (Video clip played.)</p> <p>10 DANA WHITE: We saw some value there.</p> <p>11 Library? Well, I mean, just look at what's happened</p> <p>12 with Diaz, the fight that we did with Diaz, just one</p> <p>13 guy. If you look at what we paid for Strikeforce and</p> <p>14 one guy what we did with that fight, and if you look</p> <p>15 at the purchase of Pride, the library, you've got to</p> <p>16 see that all over TV, we're doing the Best of Pride</p> <p>17 and all this stuff.</p> <p>18 And then, you see -- because I saw</p> <p>19 somebody -- I keep talking about the internet. The</p> <p>20 internet drives me crazy.</p> <p>21 So they're saying, you know, it was the</p> <p>22 most expensive fight library in history. You're an</p> <p>23 idiot, the guy who wrote that.</p> <p>24 If you look at the talent that we've had</p> <p>25 from Pride and how many fights we've done, huge,</p> |
| <p style="text-align: right;">239</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 THE WITNESS: Yes.</p> <p>3 BY MR. DELL'ANGELO:</p> <p>4 Q. Okay.</p> <p>5 A. They called us to acquire them, we didn't</p> <p>6 call them.</p> <p>7 Q. Okay. I move to strike as nonresponsive</p> <p>8 everything after "Yes."</p> <p>9 So is it also true that as a result of the</p> <p>10 UFC's acquisition of Strikeforce that the UFC has</p> <p>11 been able to generate substantial revenue?</p> <p>12 A. Yes. Because we turned all those guys that</p> <p>13 they couldn't turn into stars into stars.</p> <p>14 MR. DELL'ANGELO: Move to strike everything</p> <p>15 after "Yes" as nonresponsive.</p> <p>16 MR. ISAACSON: Just so you understand, when</p> <p>17 he makes a motion, that doesn't mean it's granted.</p> <p>18 THE WITNESS: Got it.</p> <p>19 MR. ISAACSON: So don't worry about that.</p> <p>20 THE WITNESS: I'm not worried. It's funny.</p> <p>21 BY MR. DELL'ANGELO:</p> <p>22 Q. So I'd like to play another video for you.</p> <p>23 It's an excerpt taken from that same April 8th, 2013</p> <p>24 Global Speaker Series that you did at the Stanford</p> <p>25 Graduate School Of Business in Stanford, California.</p> | <p style="text-align: right;">241</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 massive fights that have made tons of revenue and</p> <p>3 helped build our library, Pride and Strikeforce were</p> <p>4 both great purchases, and so was the WEC.</p> <p>5 (End of video clip.)</p> <p>6 BY MR. DELL'ANGELO:</p> <p>7 Q. Mr. White, was that you on the video?</p> <p>8 A. Yes.</p> <p>9 Q. Were you able to hear yourself okay?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. And did you say what you heard</p> <p>12 depicted on the video that I played just now?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And is what you said on the video</p> <p>15 clip that I just played, was that true at the time</p> <p>16 that you said it in April of 2013?</p> <p>17 A. Yes.</p> <p>18 MR. ISAACSON: Objection, compound.</p> <p>19 BY MR. DELL'ANGELO:</p> <p>20 Q. Pro Elite was also an MMA promotion,</p> <p>21 correct?</p> <p>22 A. Yes.</p> <p>23 Q. And the UFC never sought to acquire Pro</p> <p>24 Elite, right?</p> <p>25 A. We never sought to acquire anybody that</p> |

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| <p style="text-align: right;">242</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 didn't come and ask us to buy 'em.</p> <p>3 Q. Regardless of the reason, isn't it true</p> <p>4 that the UFC never sought to acquire Pro Elite?</p> <p>5 A. I don't know. I don't really -- there's so</p> <p>6 many different names out there, I don't know exactly</p> <p>7 who Pro Elite is.</p> <p>8 Q. Just to be clear, are you aware of any</p> <p>9 efforts -- well, let me withdraw that.</p> <p>10 Did you ever undertake any efforts to</p> <p>11 attempt to acquire Pro Elite?</p> <p>12 A. I don't know.</p> <p>13 Q. Do you recall saying that Pro Elite was</p> <p>14 essentially a feeder league to the UFC?</p> <p>15 A. I've said everybody was a feeder league to</p> <p>16 the UFC.</p> <p>17 Q. Okay. And do you, therefore, agree that</p> <p>18 Pro Elite was a feeder league to the UFC?</p> <p>19 A. That's how I looked at 'em. That was my</p> <p>20 opinion.</p> <p>21 Q. And in fact, the UFC -- withdraw that.</p> <p>22 In fact, Pro Elite has made it clear that</p> <p>23 it is not trying to compete with the UFC, right?</p> <p>24 A. I don't know. I don't even remember which</p> <p>25 one they are.</p> | <p style="text-align: right;">244</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Was Invicta ever a competitor of the UFC?</p> <p>3 A. When you -- when you talk about</p> <p>4 competitors, I would consider somebody a competitor</p> <p>5 who came out and challenged me, came out and said the</p> <p>6 UFC is going down, we're going to do this, that, and</p> <p>7 everything else. That was when you got on my radar</p> <p>8 and said let's compete.</p> <p>9 Q. To the best of your knowledge, did Invicta</p> <p>10 ever put on or promote MMA bouts that competed with</p> <p>11 bouts that the UFC promoted?</p> <p>12 A. Yes. I would say yes.</p> <p>13 Q. Okay.</p> <p>14 A. Invicta is a very successful promotion.</p> <p>15 Q. And isn't it true that by early 2013, the</p> <p>16 UFC and Invicta were collaborating on MMA promotion</p> <p>17 is?</p> <p>18 A. I don't think we were collaborating. I</p> <p>19 went and made them an offer to buy their 115 pound</p> <p>20 weight division.</p> <p>21 Q. Okay. And did you make the purchase?</p> <p>22 A. Yes.</p> <p>23 Q. And Invicta also shared talent, fighter</p> <p>24 talent, with the UFC, right?</p> <p>25 A. They didn't share. I mean, they -- if we</p> |
| <p style="text-align: right;">243</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Q. Have they just not made your radar?</p> <p>3 A. They might have made my radar at some</p> <p>4 point, but I don't remember them.</p> <p>5 Q. And would it be fair to say that you,</p> <p>6 therefore -- do you even know if they're still in</p> <p>7 business?</p> <p>8 A. I do not. Are they?</p> <p>9 Q. Pardon?</p> <p>10 A. Are they?</p> <p>11 Q. Okay. Do you know who Paul Feller is?</p> <p>12 A. I do not.</p> <p>13 Q. Would it be fair to say that if the UFC, to</p> <p>14 the best of your knowledge, didn't attempt to acquire</p> <p>15 Pro Elite, Pro Elite didn't have anything that the</p> <p>16 UFC wanted?</p> <p>17 MR. ISAACSON: Objection to form.</p> <p>18 THE WITNESS: I don't know. I don't know</p> <p>19 who they are. I don't even remember them.</p> <p>20 BY MR. DELL'ANGELO:</p> <p>21 Q. Earlier today, when you mentioned Shannon</p> <p>22 Napp, I think you said that she's involved with an</p> <p>23 MMA promotion by the name of Invicta; is that</p> <p>24 correct?</p> <p>25 A. Correct.</p> | <p style="text-align: right;">245</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 were interested in a -- in a fighter, we could -- we</p> <p>3 would sign them.</p> <p>4 Q. And so, UFC signed away -- is it correct</p> <p>5 that Invicta signed some of its talent to UFC?</p> <p>6 A. That we signed some of their talent?</p> <p>7 Q. Yes.</p> <p>8 A. Yes.</p> <p>9 Q. And UFC also helped to make some certain</p> <p>10 Invicta promotions possible, isn't it?</p> <p>11 A. To make them possible?</p> <p>12 Q. Yes.</p> <p>13 A. What do you mean?</p> <p>14 Q. Make it possible for Invicta to promote</p> <p>15 mixed martial arts bouts.</p> <p>16 A. We made it possible for them to promote</p> <p>17 bouts financially?</p> <p>18 Q. Let me show you --</p> <p>19 MR. ISAACSON: The record should reflect</p> <p>20 that when he said we made it -- he asked that as a</p> <p>21 question.</p> <p>22 BY MR. DELL'ANGELO:</p> <p>23 Q. -- what I've marked as Exhibit 55 to the</p> <p>24 deposition.</p> <p>25 ///</p> |

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| <p style="text-align: right;">246</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 (Exhibit 55 was marked for</p> <p>3 identification by the reporter.)</p> <p>4 BY MR. DELL'ANGELO:</p> <p>5 Q. Exhibit 55 is a two-page email, Bates</p> <p>6 ZFL-1006180. The bottom email in the chain is from</p> <p>7 Shannon Knapp to df@ufc.com, dated December 6, 2013,</p> <p>8 subject: Re thanks.</p> <p>9 So the email address, dfw@ufc.com, is that</p> <p>10 one of your email addresses that you used at the UFC?</p> <p>11 A. Yes.</p> <p>12 Q. Do you have any reason to believe that you</p> <p>13 didn't receive this email from Shannon Knapp at the</p> <p>14 bottom of the page on December 6, 2013?</p> <p>15 A. No.</p> <p>16 Q. In fact, if you look at the top of the</p> <p>17 page, it looks like you responded to Ms. Knapp. "You</p> <p>18 got it."</p> <p>19 Do you see that?</p> <p>20 A. No, she did. She said that. I said,</p> <p>21 "Thank you, and kick some ass this weekend."</p> <p>22 Q. And she responded you, "Got it --"</p> <p>23 A. Right.</p> <p>24 Q. -- with a little emoji face right there.</p> <p>25 So if you look down there at the first</p> | <p style="text-align: right;">248</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 (Exhibit 56 was marked for</p> <p>3 identification by the reporter.)</p> <p>4 (Video clip played.)</p> <p>5 DANA WHITE: So we were going to sign her.</p> <p>6 We were going to sign her to a contact, and then, we</p> <p>7 were going to have her fight in Invicta, which means</p> <p>8 we pay all the bills for her to fight in Invicta.</p> <p>9 Instead, she'd be under a UFC contract with all the</p> <p>10 perks and benefits of being a UFC fighter and would</p> <p>11 fight in Invicta, though.</p> <p>12 (End of video clip.)</p> <p>13 BY MR. DELL'ANGELO:</p> <p>14 Q. Were you able to hear that video,</p> <p>15 Mr. White?</p> <p>16 A. Yes.</p> <p>17 Q. Did that refer to Cyborg, do you know?</p> <p>18 A. I don't know. I was going to ask you.</p> <p>19 Q. All right. There came a time that the UFC</p> <p>20 entered into a historic deal with Invicta, correct?</p> <p>21 MR. ISAACSON: Objection to form.</p> <p>22 THE WITNESS: I don't know. What is the</p> <p>23 deal?</p> <p>24 BY MR. DELL'ANGELO:</p> <p>25 Q. It's for the Invicta fights appearing on</p> |
| <p style="text-align: right;">247</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 email on there chain, the second paragraph from</p> <p>3 Ms. Knapp to you and Lorenzo Fertitta says:</p> <p>4 "I will continue to 100 percent</p> <p>5 support you both, your promotion and</p> <p>6 all your athletes. I really do</p> <p>7 appreciate you both."</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. And just above that, she says:</p> <p>11 "I really appreciate what you did</p> <p>12 for me and how you made this event</p> <p>13 possible. I won't forget."</p> <p>14 Do you see that?</p> <p>15 A. Yes.</p> <p>16 Q. Do you know what event Ms. Knapp was</p> <p>17 thanking you and Mr. Fertitta for making possible?</p> <p>18 A. I do not. And I also don't know what we</p> <p>19 did for her.</p> <p>20 MR. DELL'ANGELO: Let's play another video</p> <p>21 excerpt, dated February 16, 2013. It's from UFC on</p> <p>22 Fuel TV 7, post fights from London, England.</p> <p>23 MR. ISAACSON: I'll object to the use of</p> <p>24 the exhibit in question on the grounds of</p> <p>25 completeness.</p> | <p style="text-align: right;">249</p> <p>1 DANA WHITE - HIGHLY CONFIDENTIAL</p> <p>2 Fight Pass.</p> <p>3 A. Okay. Yeah. Yeah.</p> <p>4 Q. Are you aware that -- you know --</p> <p>5 A. Why was it historic?</p> <p>6 Q. Do you know who Marshall Zelaznik is?</p> <p>7 A. Yes.</p> <p>8 Q. Who is Marshall Zelaznik?</p> <p>9 A. He ran -- well, he did acquisitions for us</p> <p>10 and did TV deals and things like that.</p> <p>11 Q. And he was in charge of Fight Pass at the</p> <p>12 UFC, or he was in charge of the content?</p> <p>13 A. Yeah, content.</p> <p>14 Q. Okay. Let me show you what I'm marking as</p> <p>15 Exhibit 57.</p> <p>16 (Exhibit 57 was marked for</p> <p>17 identification by the reporter.)</p> <p>18 BY MR. DELL'ANGELO:</p> <p>19 Q. I'll show you what I'm marking as</p> <p>20 Exhibit 57. It's a printout from the UFC.com</p> <p>21 website, dated June 5th, 2014, entitled "UFC Fight</p> <p>22 Pass Signs Historic Content Deal With Invicta FC</p> <p>23 UFC."</p> <p>24 A. Yep.</p> <p>25 Q. So I'll represent to you, Mr. White, that</p> |